



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H8135	2
H8136	3
HF2446	5
HF2447	7
HF2448	16
HSB676	45
HSB677	51
S5079	79
S5080	80
S5081	81
S5082	82
S5083	83
S5084	85
SR112	86



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

Senate File 2311

H-8135

1 Amend the amendment, H-8117, to Senate File 2311, as
2 passed by the Senate, as follows:
3 1. Page 2, line 27, after <felony.> by inserting
4 <It shall be an affirmative defense to a prosecution of
5 a person under the age of twenty-one for a violation of
6 this section that the person was allowed, permitted,
7 or encouraged by an adult having influence or control
8 of the person to engage in acts prohibited pursuant to
9 section 725.1, subsection 1, while the person was under
10 the age of eighteen.>

DAWSON of Woodbury

H8117.3420 (1) 85

-1-

rh/rj

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

Senate File 2118

H-8136

1 Amend Senate File 2118, as passed by the Senate, as
2 follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. Section 236.3, subsection 1, Code 2014,
6 is amended by adding the following new paragraph:
7 NEW PARAGRAPH. *0g.* Name or description of any
8 property of sentimental or emotional significance
9 which may cause the victim to stay in the abusive
10 relationship and which is owned, possessed, leased,
11 kept, or held by the petitioner, respondent, or minor
12 child of the petitioner or respondent that may be
13 affected by the controversy.
14 Sec. 2. Section 236.4, Code 2014, is amended by
15 adding the following new subsection:
16 NEW SUBSECTION. 3A. The court may include in the
17 temporary order issued pursuant to this section a grant
18 to the petitioner of the exclusive care, possession,
19 or control of any property of sentimental or emotional
20 significance which may cause the victim to stay in the
21 abusive relationship and which is owned, possessed,
22 leased, kept, or held by the petitioner, respondent, or
23 minor child of the petitioner or respondent that may
24 be affected by the controversy. The court may forbid
25 the respondent from taking, transferring, encumbering,
26 concealing, attacking, striking, harming, or otherwise
27 disposing of the property.
28 Sec. 3. Section 236.4, subsection 4, Code 2014, is
29 amended to read as follows:
30 4. If a hearing is continued, the court may make or
31 extend any temporary order under subsection 2, ~~or~~ 3, or
32 3A that it deems necessary.
33 Sec. 4. Section 236.5, subsection 1, paragraph
34 b, Code 2014, is amended by adding the following new
35 subparagraph:
36 NEW SUBPARAGRAPH. (7) A grant to the petitioner
37 of the exclusive care, possession, or control of any
38 property of sentimental or emotional significance
39 which may cause the victim to stay in the abusive
40 relationship and which is owned, possessed, leased,
41 kept, or held by the petitioner, respondent, or minor
42 child of the petitioner or respondent that may be
43 affected by the controversy.>
44 2. Title page, by striking lines 1 through 4 and
45 inserting <An Act relating to domestic abuse protective
46 orders and property of sentimental or emotional
47 significance owned or held by a petitioner, respondent,
48 or minor child of the petitioner or respondent in a
49 domestic abuse case.>

SF2118.3459 (3) 85

-1-

rh/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

ALONS of Sioux

WATTS of Dallas

SHAW of Pocahontas

SHEETS of Appanoose

HUSEMAN of Cherokee

DOLECHECK of Ringgold

BACON of Story

SCHULTZ of Crawford

VANDER LINDEN of Mahaska

KLEIN of Washington

BALTIMORE of Boone

KAUFMANN of Cedar



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House File 2446 - Introduced

HOUSE FILE 2446
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 669)

A BILL FOR

1 An Act exempting from the sales tax the sales price of a diesel
2 fuel trailer or seed tender used primarily in agricultural
3 production.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6002HV (2) 85
mm/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2446

1 Section 1. Section 423.3, subsection 8, Code 2014, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *d.* (1) For purposes of this subsection,
4 the following items are exempt under paragraph "a" when used
5 primarily in agricultural production:

6 (a) A diesel fuel trailer, regardless of the vehicle to
7 which it is to be attached.

8 (b) A seed tender, regardless of the vehicle to which it is
9 to be attached.

10 (2) For purposes of this paragraph:

11 (a) "*Fuel trailer*" means a trailer that holds dyed diesel
12 fuel or diesel exhaust fluid and that is used to transport such
13 fuel or fluid to a self-propelled implement of husbandry.

14 (b) "*Seed tender*" means a trailer that holds seed and that
15 is used to transport seed to an implement of husbandry and load
16 seed into an implement of husbandry.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill exempts from the sales tax the sales price of
21 a diesel fuel trailer or a seed tender used primarily in
22 agricultural production, regardless of the vehicle to which
23 the diesel fuel trailer or seed tender is to be attached.
24 Under current law, such items are not exempt from sales tax
25 unless they are directly and primarily used in production of
26 agricultural products and are customarily drawn or attached to
27 self-propelled farm implements.

28 "Fuel trailer" and "seed tender" are both defined in the
29 bill.

30 By operation of Code section 423.6, an item exempt from the
31 imposition of the sales tax is also exempt from the use tax
32 imposed in Code section 423.5.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House File 2447 - Introduced

HOUSE FILE 2447
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2198)

A BILL FOR

1 An Act relating to the registration and regulation of
2 motorsports recreational vehicles, recreational vehicle
3 operators, and recreational vehicle cargo, and including
4 fees and penalties.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5577HV (2) 85
dea/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2447

1 Section 1. Section 321.1, subsection 8, Code 2014, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *i.* A person operating a motorsports
4 recreational vehicle is not a chauffeur.

5 Sec. 2. Section 321.1, subsection 36C, Code 2014, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *e.* "*Motorsports recreational vehicle*" means
8 a modified motor vehicle used for the purpose of participating
9 in motorsports competitions and consisting of a conversion unit
10 mounted on a truck tractor or motor truck chassis such that the
11 motor vehicle can be used as a conveyance on the highway and as
12 a temporary or recreational dwelling. The motor vehicle must
13 have at least four of the permanently installed systems listed
14 in paragraph "d", two of which shall be systems specified in
15 paragraph "d", subparagraph (1), (4), or (5).

16 Sec. 3. Section 321.109, subsection 1, paragraph a, Code
17 2014, is amended to read as follows:

18 *a.* The annual fee for all motor vehicles including vehicles
19 designated by manufacturers as station wagons, 1993 and
20 subsequent model year multipurpose vehicles, and 2010 and
21 subsequent model year motor trucks with an unladen weight of
22 ten thousand pounds or less, except motor trucks registered
23 under section 321.122, business-trade trucks, special trucks,
24 motor homes, motorsports recreational vehicles, ambulances,
25 hearses, motorcycles, motorized bicycles, and 1992 and older
26 model year multipurpose vehicles, shall be equal to one
27 percent of the value as fixed by the department plus forty
28 cents for each one hundred pounds or fraction thereof of
29 weight of vehicle, as fixed by the department. The weight
30 of a motor vehicle, fixed by the department for registration
31 purposes, shall include the weight of a battery, heater,
32 bumpers, spare tire, and wheel. Provided, however, that for
33 any new vehicle purchased in this state by a nonresident
34 for removal to the nonresident's state of residence the
35 purchaser may make application to the county treasurer in

LSB 5577HV (2) 85
dea/nh

-1-

1/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2447

1 the county of purchase for a transit plate for which a fee
2 of ten dollars shall be paid. And provided, however, that
3 for any used vehicle held by a registered dealer and not
4 currently registered in this state, or for any vehicle held
5 by an individual and currently registered in this state,
6 when purchased in this state by a nonresident for removal to
7 the nonresident's state of residence, the purchaser may make
8 application to the county treasurer in the county of purchase
9 for a transit plate for which a fee of three dollars shall
10 be paid. The county treasurer shall issue a nontransferable
11 certificate of registration for which no refund shall be
12 allowed; and the transit plates shall be void thirty days
13 after issuance. Such purchaser may apply for a certificate
14 of title by surrendering the manufacturer's or importer's
15 certificate or certificate of title, duly assigned as provided
16 in this chapter. In this event, the treasurer in the county
17 of purchase shall, when satisfied with the genuineness and
18 regularity of the application, and upon payment of a fee of
19 twenty dollars, issue a certificate of title in the name and
20 address of the nonresident purchaser delivering the title
21 to the owner. If there is a security interest noted on the
22 title, the county treasurer shall mail to the secured party an
23 acknowledgment of the notation of the security interest. The
24 county treasurer shall not release a security interest that
25 has been noted on a title issued to a nonresident purchaser
26 as provided in this paragraph. The application requirements
27 of section 321.20 apply to a title issued as provided in this
28 subsection, except that a natural person who applies for a
29 certificate of title shall provide either the person's social
30 security number, passport number, or driver's license number,
31 whether the license was issued by this state, another state, or
32 another country. The provisions of this subsection relating to
33 multipurpose vehicles are effective for all 1993 and subsequent
34 model years. The annual registration fee for multipurpose
35 vehicles that are 1992 model years and older shall be in

LSB 5577HV (2) 85
dea/nh

2/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2447

1 accordance with section 321.124.

2 Sec. 4. Section 321.124, Code 2014, is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 4. a. The annual registration fee
5 for a motorsports recreational vehicle is four hundred
6 dollars. For purposes of determining that portion of the
7 annual registration fee which is based upon the value of the
8 motorsports recreational vehicle, sixty percent of the annual
9 fee is attributable to the value of the vehicle. The owner of
10 a motor vehicle registered under this subsection shall certify
11 at the time of registration or renewal of registration that
12 the motor vehicle is used for the purpose of participating in
13 motorsports competition.

14 b. If the department determines by audit or other means that
15 a person registered a vehicle as a motorsports recreational
16 vehicle that is not qualified for such registration, the person
17 shall be required to pay the difference between the regular
18 annual registration fees owed for the vehicle for each year the
19 vehicle was registered in violation of this section and the
20 fees actually paid.

21 c. If the department determines by audit or other
22 means that the person knowingly registered a vehicle as a
23 motorsports recreational vehicle that is not qualified for such
24 registration, the person shall be required to pay a penalty
25 for improper registration in the amount of seven hundred fifty
26 dollars for each registration year in which the vehicle was
27 registered in violation of this section, not to exceed two
28 thousand two hundred fifty dollars.

29 Sec. 5. Section 321.152, subsection 1, Code 2014, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. g. Twenty-five percent of each penalty
32 collected for improper motorsports recreational vehicle
33 registration under section 321.124, subsection 4.

34 Sec. 6. Section 321.176A, Code 2014, is amended by adding
35 the following new subsection:

LSB 5577HV (2) 85
dea/nh

3/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2447

1 NEW SUBSECTION. 8. A person operating a motorsports
2 recreational vehicle for the purpose of participating
3 in motorsports competitions primarily for relaxation or
4 entertainment and not for a commercial purpose. For purposes
5 of this subsection, "*commercial purpose*" does not include
6 a competition that involves prize money or commercial
7 sponsorship.

8 Sec. 7. Section 321.284A, subsection 2, Code 2014, is
9 amended to read as follows:

10 2. This section does not apply to a passenger being
11 transported in a motor vehicle designed, maintained, or used
12 primarily for the transportation of persons for compensation,
13 or a passenger being transported in the living quarters of a
14 motor home, motorsports recreational vehicle, manufactured or
15 mobile home, travel trailer, or fifth-wheel travel trailer.

16 Sec. 8. Section 321.310, subsections 1 and 2, Code 2014, are
17 amended to read as follows:

18 1. A motor vehicle shall not tow a four-wheeled trailer with
19 a steering axle, or more than one trailer or semitrailer, or
20 both in combination. However, this section does not apply to
21 a motor home, motorsports recreational vehicle, multipurpose
22 vehicle, motor truck, truck tractor or road tractor nor to
23 a farm tractor towing a four-wheeled trailer, nor to a farm
24 tractor or motor vehicle towing implements of husbandry, nor to
25 a wagon box trailer used by a farmer in transporting produce,
26 farm products, or supplies hauled to and from market.

27 2. Any four-wheeled trailer towed by a truck tractor or road
28 tractor shall be registered under the semitrailer provisions
29 of section 321.123~~7~~; provided~~, however,~~ that the provisions
30 of this ~~section~~ subsection shall not ~~be applicable~~ apply to
31 motor vehicles drawing wagon box trailers used by a farmer
32 in transporting produce, farm products, or supplies hauled
33 to and from market, or to a four-wheeled trailer towed by a
34 motorsports recreational vehicle.

35 Sec. 9. Section 321.446, subsection 3, paragraph b, Code

LSB 5577HV (2) 85
dea/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2447

1 2014, is amended to read as follows:

2 **b.** The transportation of children in 1965 model year or
3 older vehicles, authorized emergency vehicles, buses, or motor
4 homes, or motorsports recreational vehicles except when a child
5 is transported in a motor home's or motorsports recreational
6 vehicle's passenger seat situated directly to the driver's
7 right.

8 Sec. 10. Section 321.450, Code 2014, is amended by adding
9 the following new subsection:

10 **NEW SUBSECTION. 6.** Notwithstanding other provisions of
11 this section, rules adopted under this section applicable to
12 the transportation of any fuel used in race car engines shall
13 not apply to the transportation of such fuel if the fuel is
14 contained in the fuel cells of a race car being transported in
15 a trailer and the fuel cells are certified by SFI foundation,
16 inc.

17 Sec. 11. Section 321.454, Code 2014, is amended to read as
18 follows:

19 **321.454 Width of vehicles.**

20 The total outside width of a vehicle or the load on
21 the vehicle shall not exceed eight feet six inches. This
22 limitation on the total outside width of a vehicle or the load
23 on the vehicle does not include safety equipment on a vehicle
24 or incidental appurtenances or retracted awnings on motor
25 homes, motorsports recreational vehicles, travel trailers, or
26 fifth-wheel travel trailers if the incidental appurtenance or
27 retracted awning is less than six inches in width. However,
28 if hay, straw, or stover is moved on an implement of husbandry
29 and the total width of load of the implement of husbandry
30 exceeds eight feet six inches, the implement of husbandry is
31 not subject to the permit requirements of chapter 321E. If
32 hay, straw, or stover is moved on any other vehicle subject to
33 registration, the moves are subject to the permit requirements
34 for transporting loads exceeding eight feet six inches in width
35 as required under chapter 321E.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2447

1 Sec. 12. Section 321.457, subsection 2, paragraph j, Code
2 2014, is amended to read as follows:

3 j. A motor home or motorsports recreational vehicle shall
4 not have an overall length, excluding front and rear bumpers
5 and safety equipment, in excess of forty-five feet.

6 Sec. 13. Section 321.457, subsection 2, Code 2014, is
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. o. Notwithstanding any other provision of
9 this chapter, and to the extent allowed under federal law, a
10 combination of two vehicles coupled together, one of which is
11 a motorsports recreational vehicle, shall not have an overall
12 length in excess of eighty-five feet.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill establishes a new motorsports recreational vehicle
17 classification for purposes of motor vehicle regulation and
18 driver licensing. The bill defines "motorsports recreational
19 vehicle" as a modified motor vehicle used for the purpose
20 of participating in motorsports competitions, consisting of
21 a conversion unit mounted on a truck tractor or motor truck
22 chassis, and containing systems similar to the systems required
23 in a motor home, so that the motor vehicle can be used as a
24 conveyance on the highway and as a temporary or recreational
25 dwelling.

26 The annual registration fee for a motorsports recreational
27 vehicle is \$400. At the time of registration or registration
28 renewal, the owner must certify that the vehicle is used for
29 the purpose of participating in motorsports competitions. If
30 the department of transportation determines that a person
31 registered a vehicle as a motorsports recreational vehicle that
32 was not qualified for such registration, the person shall be
33 required to pay the difference between the regular registration
34 fee for the vehicle and the fee actually paid for each year
35 the vehicle was improperly registered. In addition, the

LSB 5577HV (2) 85

dea/nh

6/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2447

1 bill imposes a penalty of \$750 for each year the vehicle was
2 improperly registered, not to exceed \$2,250. From each penalty
3 collected by a county treasurer for improper registration of
4 a motorsports recreational vehicle, the county shall retain
5 25 percent of the penalty for deposit in the county's general
6 fund.

7 The bill specifies that a person operating a motorsports
8 recreational vehicle is not a chauffeur. The bill also
9 provides an exemption from commercial driver licensing
10 requirements for a person operating a motorsports recreational
11 vehicle for the purpose of participating in motorsports
12 competitions primarily for relaxation or entertainment and
13 not for a commercial purpose. In this context, "commercial
14 purpose" does not include a competition that involves prize
15 money or commercial sponsorship.

16 Current motor vehicle provisions applicable to motor homes
17 are amended to apply to motorsports recreational vehicles as
18 well. These provisions include an exception to open-container
19 restrictions for a passenger being transported in the living
20 quarters of a motorsports recreational vehicle; child restraint
21 requirements for a child seated directly to the driver's
22 right; the exclusion of incidental appurtenances or retracted
23 awnings from vehicle width limitations; and an exemption from
24 restrictions on towing a four-wheeled trailer with a steering
25 axle or more than one trailer or semitrailer. The bill states
26 that a four-wheeled trailer towed by a motorsports recreational
27 vehicle is not required to be registered as a semitrailer.

28 The bill limits the length of a motorsports recreational
29 vehicle, excluding front and rear bumpers and safety equipment,
30 to not more than 45 feet. To the extent allowed under federal
31 law, the maximum length for a combination of two vehicles
32 coupled together, one of which is a motorsports recreational
33 vehicle, is 85 feet.

34 Under current law, the department of transportation has
35 adopted rules, in compliance with federal regulations,

LSB 5577HV (2) 85
dea/nh

7/8



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2447

1 relating to the transportation of hazardous materials. The
2 bill provides that rules applicable to the transportation
3 of any fuel used in race car engines shall not apply to the
4 transportation of fuel contained in the fuel cells of a race
5 car being transported in a trailer if the fuel cells are
6 certified by SFI foundation, inc.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House File 2448 - Introduced

HOUSE FILE 2448
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2305)
(SUCCESSOR TO HSB 542)

A BILL FOR

1 An Act relating to the administration of programs by the
2 economic development authority by modifying the high quality
3 jobs program, creating a workforce housing tax incentives
4 program and making penalties applicable, and repealing the
5 enterprise zone program, and including effective date and
6 retroactive and other applicability provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5320HZ (2) 85
mm/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 DIVISION I
2 HIGH QUALITY JOBS PROGRAM
3 Section 1. Section 15.327, Code 2014, is amended by adding
4 the following new subsections:
5 NEW SUBSECTION. 3A. "*Brownfield site*" means the same as
6 defined in section 15.291.
7 NEW SUBSECTION. 12A. "*Grayfield site*" means the same as
8 defined in section 15.291.
9 NEW SUBSECTION. 17A. "*Project*" means an activity or set
10 of activities directly related to the start-up, location,
11 modernization, or expansion of a business, and proposed
12 in an application by a business, that will result in the
13 accomplishment of the goals of the program.
14 Sec. 2. Section 15.327, subsection 18, Code 2014, is amended
15 to read as follows:
16 18. "*Project completion assistance*" means financial
17 assistance or technical assistance provided to an eligible
18 business in order to facilitate the ~~start-up, location, or~~
19 ~~expansion of the business~~ completion of a project in this state
20 and provided in an expedient manner to ensure the successful
21 completion of the ~~start-up, location, or expansion~~ project.
22 Sec. 3. Section 15.329, subsection 1, paragraph a, Code
23 2014, is amended to read as follows:
24 a. If the qualifying investment is ten million dollars or
25 more, the community has approved by ordinance or resolution the
26 ~~start-up, location, or expansion of the business~~ project for
27 the purpose of receiving the benefits of this part.
28 Sec. 4. Section 15.331A, subsection 1, Code 2014, is amended
29 to read as follows:
30 1. The eligible business shall be entitled to a refund
31 of the sales and use taxes paid under chapter 423 for gas,
32 electricity, water, or sewer utility services, goods, wares, or
33 merchandise, or on services rendered, furnished, or performed
34 to or for a contractor or subcontractor and used in the
35 fulfillment of a written contract relating to the construction



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 or equipping of a facility that is part of a project of the
2 eligible business. Taxes attributable to intangible property
3 and furniture and furnishings shall not be refunded. However,
4 an eligible business shall be entitled to a refund for taxes
5 attributable to racks, shelving, and conveyor equipment to be
6 used in a warehouse or distribution center subject to section
7 15.331C.

8 Sec. 5. Section 15.332, subsection 1, Code 2014, is amended
9 to read as follows:

10 1. The community may exempt from taxation all or a portion
11 of the actual value added by improvements to real property
12 directly related to new jobs created by the ~~location or~~
13 ~~expansion of an eligible business under the program project~~
14 and used in the operations of the eligible business. The
15 exemption may be allowed for a period not to exceed twenty
16 years beginning the year the improvements are first assessed
17 for taxation.

18 Sec. 6. Section 15.333, subsection 1, Code 2014, is amended
19 to read as follows:

20 1. An eligible business may claim a tax credit equal to a
21 percentage of the new investment directly related to new jobs
22 created or retained by the ~~location or expansion of an eligible~~
23 ~~business under the program project~~. The tax credit shall be
24 amortized equally over five calendar years. The tax credit
25 shall be allowed against taxes imposed under chapter 422,
26 division II, III, or V, and against the moneys and credits tax
27 imposed in section 533.329. If the business is a partnership,
28 S corporation, limited liability company, cooperative organized
29 under chapter 501 and filing as a partnership for federal tax
30 purposes, or estate or trust electing to have the income taxed
31 directly to the individual, an individual may claim the tax
32 credit allowed. The amount claimed by the individual shall
33 be based upon the pro rata share of the individual's earnings
34 of the partnership, S corporation, limited liability company,
35 cooperative organized under chapter 501 and filing as a



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 partnership for federal tax purposes, or estate or trust. The
2 percentage shall be determined as provided in section 15.335A.
3 Any tax credit in excess of the tax liability for the tax year
4 may be credited to the tax liability for the following seven
5 years or until depleted, whichever occurs first.

6 Sec. 7. Section 15.333, subsection 2, unnumbered paragraph
7 1, Code 2014, is amended to read as follows:

8 For purposes of this subsection, *"new investment directly*
9 *related to new jobs created by the location or expansion of an*
10 *eligible business under the program project"* means the cost
11 of machinery and equipment, as defined in section 427A.1,
12 subsection 1, paragraphs "e" and "j", purchased for use in
13 the operation of the eligible business, the purchase price
14 of which has been depreciated in accordance with generally
15 accepted accounting principles, the purchase price of real
16 property and any buildings and structures located on the real
17 property, and the cost of improvements made to real property
18 which is used in the operation of the eligible business. *"New*
19 *investment directly related to new jobs created by the location*
20 *or expansion of an eligible business under the program project"*
21 also means the annual base rent paid to a third-party developer
22 by an eligible business for a period not to exceed ten years,
23 provided the cumulative cost of the base rent payments for that
24 period does not exceed the cost of the land and the third-party
25 developer's costs to build or renovate the building for the
26 eligible business. The eligible business shall enter into a
27 lease agreement with the third-party developer for a minimum
28 of five years. If, however, within five years of purchase,
29 the eligible business sells, disposes of, razes, or otherwise
30 renders unusable all or a part of the land, buildings, or other
31 existing structures for which tax credit was claimed under this
32 section, the tax liability of the eligible business for the
33 year in which all or part of the property is sold, disposed of,
34 razed, or otherwise rendered unusable shall be increased by one
35 of the following amounts:

LSB 5320HZ (2) 85

-3-

mm/sc

3/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 Sec. 8. Section 15.333A, subsection 1, Code 2014, is amended
2 to read as follows:

3 1. An eligible business may claim an insurance premium tax
4 credit equal to a percentage of the new investment directly
5 related to new jobs created by the ~~location or expansion of an~~
6 ~~eligible business under the program project~~. The tax credit
7 shall be amortized equally over a five-year period. The tax
8 credit shall be allowed against taxes imposed in chapter 432.
9 A tax credit in excess of the tax liability for the tax year may
10 be credited to the tax liability for the following seven years
11 or until depleted, whichever occurs first. The percentage
12 shall be determined as provided in section 15.335A.

13 Sec. 9. Section 15.333A, subsection 2, unnumbered paragraph
14 1, Code 2014, is amended to read as follows:

15 For purposes of this section, *"new investment directly*
16 *related to new jobs created by the* ~~location or expansion of an~~
17 ~~eligible business under the program project~~" means the cost
18 of machinery and equipment, as defined in section 427A.1,
19 subsection 1, paragraphs "e" and "j", purchased for use in
20 the operation of the eligible business, the purchase price
21 of which has been depreciated in accordance with generally
22 accepted accounting principles, the purchase price of real
23 property and any buildings and structures located on the real
24 property, and the cost of improvements made to real property
25 which is used in the operation of the eligible business. *"New*
26 *investment directly related to new jobs created by the* ~~location~~
27 ~~or expansion of an eligible business under the program project~~"
28 also means the annual base rent paid to a third-party developer
29 by an eligible business for a period not to exceed ten years,
30 provided the cumulative cost of the base rent payments for that
31 period does not exceed the cost of the land and the third-party
32 developer's costs to build or renovate the building for the
33 eligible business. The eligible business shall enter into a
34 lease agreement with the third-party developer for a minimum
35 of five years. If, however, within five years of purchase,

LSB 5320HZ (2) 85

-4-

mm/sc

4/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 the eligible business sells, disposes of, razes, or otherwise
2 renders unusable all or a part of the land, buildings, or other
3 existing structures for which tax credit was claimed under this
4 section, the tax liability of the eligible business for the
5 year in which all or part of the property is sold, disposed of,
6 razed, or otherwise rendered unusable shall be increased by one
7 of the following amounts:

8 Sec. 10. Section 15.335C, Code 2014, is amended to read as
9 follows:

10 15.335C Economically Wage thresholds for brownfield and
11 grayfield projects and economically distressed areas.

12 1. a. Notwithstanding section 15.329, subsection 1,
13 paragraph "c", the authority may provide tax incentives or
14 project completion assistance under this part to ~~an eligible~~
15 a business paying for a project that will create or retain
16 jobs that will pay less than one hundred twenty percent of the
17 qualifying wage threshold if that business project is located
18 at a brownfield site, a grayfield site, or in an economically
19 distressed area.

20 b. (1) A business with a project located in an economically
21 distressed area or at a grayfield site and receiving incentives
22 or assistance pursuant to this section shall be required to pay
23 at least one hundred percent of the qualifying wage threshold
24 for jobs created or retained by the project.

25 (2) A business with a project located at a brownfield
26 site and receiving incentives or assistance pursuant to this
27 section shall be required to pay at least ninety percent of the
28 qualifying wage threshold for jobs created or retained by the
29 project.

30 2. For purposes of this section, "*economically distressed*
31 *area*" means a county that ranks among the bottom ~~twenty-five~~
32 thirty-three of all Iowa counties, as measured by one of the
33 following:

34 a. Average monthly unemployment level for the most recent
35 twelve-month period.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 **b.** Average annualized unemployment level for the most recent
2 five-year period.

3 Sec. 11. APPLICABILITY. This division of this Act applies
4 to high quality jobs program agreements entered into by an
5 eligible business and the economic development authority on or
6 after the effective date of this division of this Act, and high
7 quality jobs program agreements entered into by an eligible
8 business and the economic development authority prior to the
9 effective date of this division of this Act shall be governed
10 by sections 15.327, 15.329, 15.333, 15.333A, and 15.335C, Code
11 2014.

12 DIVISION II

13 WORKFORCE HOUSING TAX INCENTIVES PROGRAM

14 Sec. 12. Section 15.119, subsection 2, Code 2014, is amended
15 by adding the following new paragraph:

16 NEW PARAGRAPH. **g.** The workforce housing tax incentives
17 program administered pursuant to sections 15.351 through
18 15.356. In allocating tax credits pursuant to this subsection,
19 the authority shall not allocate more than twenty million
20 dollars for purposes of this paragraph.

21 Sec. 13. NEW SECTION. **15.351 Short title.**

22 This part shall be known and may be cited as the "*Workforce*
23 *Housing Tax Incentives Program*".

24 Sec. 14. NEW SECTION. **15.352 Definitions.**

25 As used in this part, unless the context otherwise requires:

26 1. "*Brownfield site*" means an abandoned, idled, or
27 underutilized property where expansion or redevelopment is
28 complicated by real or perceived environmental contamination.
29 A brownfield site includes property contiguous with the site
30 on which the property is located. A brownfield site does
31 not include property which has been placed, or is proposed
32 for placement, on the national priorities list established
33 pursuant to the federal Comprehensive Environmental Response,
34 Compensation, and Liability Act, 42 U.S.C. §9601 et seq.

35 2. "*Community*" means a city or county.

LSB 5320HZ (2) 85

-6-

mm/sc

6/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

- 1 3. *"Grayfield site"* means a property meeting all of the
2 following requirements:
- 3 a. The property has been developed and has infrastructure in
4 place but the property's current use is outdated or prevents a
5 better or more efficient use of the property. Such property
6 includes vacant, blighted, obsolete, or otherwise underutilized
7 property.
- 8 b. The property's improvements and infrastructure are at
9 least twenty-five years old and one or more of the following
10 conditions exists:
- 11 (1) Thirty percent or more of a building located on the
12 property that is available for occupancy has been vacant or
13 unoccupied for a period of twelve months or more.
- 14 (2) The assessed value of the improvements on the property
15 has decreased by twenty-five percent or more.
- 16 (3) The property is currently being used as a parking lot.
- 17 (4) The improvements on the property no longer exist.
- 18 4. *"Housing business"* means a business that is a housing
19 developer, housing contractor, or nonprofit organization that
20 completes a housing project in the state.
- 21 5. *"Housing project"* means a project located in this state
22 meeting the requirements of section 15.353.
- 23 6. *"Multi-use building"* means a building whose street-level
24 ground story is used for a purpose that is other than
25 residential, and whose upper story or stories are currently
26 used for a residential purpose, or will be used for a
27 residential purpose after completion of the housing project
28 associated with the building.
- 29 7. *"Program"* means the workforce housing tax incentives
30 program administered under this part.
- 31 8. a. *"Qualifying new investment"* means costs that are
32 directly related to the acquisition, repair, rehabilitation, or
33 redevelopment of a housing project in this state.
- 34 b. *"Qualifying new investment"* includes costs that are
35 directly related to new construction of dwelling units if the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 new construction occurs in a distressed workforce housing
2 community.

3 *c.* The amount of costs that may be used to compute
4 “qualifying new investment” shall not exceed the costs used for
5 the first one hundred fifty thousand dollars of value for each
6 dwelling unit that is part of a housing project.

7 *d.* “Qualifying new investment” does not include the
8 following:

9 (1) The portion of the total cost of a housing project
10 that is financed by federal, state, or local government tax
11 credits, grants, forgivable loans, or other forms of financial
12 assistance that do not require repayment, excluding the tax
13 incentives provided under this part.

14 (2) If a housing project includes the rehabilitation,
15 repair, or redevelopment of an existing multi-use building,
16 the portion of the total acquisition costs of the multi-use
17 building, including a proportionate share of the total
18 acquisition costs of the land upon which the multi-use building
19 is situated, that are attributable to the street-level
20 ground story that is used for a purpose that is other than
21 residential.

22 Sec. 15. NEW SECTION. 15.353 **Housing project requirements.**

23 1. To receive workforce housing tax incentives pursuant to
24 the program, a proposed housing project shall meet all of the
25 following requirements:

26 *a.* The project includes at least one of the following:

27 (1) Four or more single-family dwelling units.

28 (2) One or more multiple dwelling unit buildings each
29 containing three or more individual dwelling units.

30 (3) Two or more dwelling units located in the upper story of
31 an existing multi-use building.

32 *b.* The project consists of any of the following:

33 (1) The rehabilitation, repair, or redevelopment of
34 dwelling units at a brownfield or grayfield site.

35 (2) The rehabilitation, repair, or redevelopment of



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 dilapidated dwelling units.

2 (3) The rehabilitation, repair, or redevelopment of
3 dwelling units located in the upper story of an existing
4 multi-use building.

5 (4) (a) The new construction, rehabilitation, repair,
6 or redevelopment of dwelling units in a distressed workforce
7 housing community.

8 (b) The determination as to whether a community is
9 considered a distressed workforce housing community shall be
10 within the discretion of the authority after considering all
11 of the following:

12 (i) Whether or not the community has a severe housing
13 shortage relative to demand, low vacancy rates, or rising
14 housing costs combined with low unemployment.

15 (ii) The relative merits of all applications for
16 designation as a distressed workforce housing community.

17 (iii) The demand for projects applying under this
18 subparagraph compared to the demand for projects applying under
19 subparagraphs (1) through (3).

20 c. (1) Except as provided in subparagraph (2), the average
21 dwelling unit cost does not exceed two hundred thousand dollars
22 per dwelling unit.

23 (2) The average dwelling unit cost does not exceed two
24 hundred fifty thousand dollars per dwelling unit if the
25 project involves the rehabilitation, repair, redevelopment, or
26 preservation of eligible property, as that term is defined in
27 section 404A.1, subsection 2.

28 d. The dwelling units, when completed and made available
29 for occupancy, meet the United States department of housing
30 and urban development's housing quality standards and all
31 applicable local safety standards.

32 Sec. 16. NEW SECTION. 15.354 Housing project application
33 and agreement.

34 1. *Application.*

35 a. A housing business seeking workforce housing tax



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 incentives provided in section 15.355 shall make application to
2 the authority in the manner prescribed by the authority. The
3 authority may accept applications on a continuous basis.

4 **b.** The application shall include all of the following:

5 (1) The following information establishing local
6 participation for the housing project:

7 (a) A resolution in support of the housing project by the
8 community where the housing project will be located.

9 (b) Documentation of local matching funds pledged for the
10 housing project in an amount equal to at least one thousand
11 dollars per dwelling unit, including but not limited to
12 a funding agreement between the housing business and the
13 community where the housing project will be located. For
14 purposes of this paragraph, local matching funds shall be in
15 the form of cash or cash equivalents, or in the form of a local
16 property tax exemption, rebate, refund, or reimbursement.

17 (2) A report that meets the requirements and conditions of
18 section 15.330, subsection 9.

19 (3) Information showing the total costs and funding sources
20 of the housing project sufficient to allow the authority to
21 adequately determine the financing that will be utilized for
22 the housing project, the actual cost of the dwelling units, and
23 the amount of qualifying new investment.

24 (4) Any other information deemed necessary by the authority
25 to evaluate the eligibility and financial need of the housing
26 project under the program.

27 **2. Registration.**

28 **a.** Upon review of the application, the authority may
29 register the housing project under the program. If the
30 authority registers the housing project, the authority shall
31 make a preliminary determination as to the amount of tax
32 incentives for which the housing project qualifies.

33 **b.** After registering the housing project, the authority
34 shall notify the housing business of successful registration
35 under the program. The notification shall include the amount

LSB 5320HZ (2) 85

-10-

mm/sc

10/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 of tax incentives under section 15.355 for which the housing
2 business has received preliminary approval and a statement
3 that the amount is a preliminary determination only. The
4 amount of tax credits included on a tax credit certificate
5 issued pursuant to this section, or a claim for refund of sales
6 and use taxes, shall be contingent upon completion of the
7 requirements in subsection 3.

8 3. *Agreement and fees.*

9 a. Upon successful registration of the housing project,
10 the housing business shall enter into an agreement with the
11 authority for the successful completion of all requirements of
12 the program.

13 b. The compliance cost fees imposed in section 15.330,
14 subsection 12, shall apply to all agreements entered into
15 under this program and shall be collected by the authority in
16 the same manner and to the same extent as described in that
17 subsection.

18 c. A housing business shall complete its housing project
19 within three years from the date the housing project is
20 registered by the authority.

21 d. Upon completion of a housing project, an audit of
22 the project, completed by an independent certified public
23 accountant licensed in this state, shall be submitted to the
24 authority.

25 e. Upon review of the audit and verification of the amount
26 of the qualifying new investment, the authority may issue a tax
27 credit certificate to the housing business stating the amount
28 of workforce housing investment tax credits under section
29 15.355 the eligible housing business may claim.

30 4. *Maximum tax incentives amount.*

31 a. The maximum aggregate amount of tax incentives that may
32 be awarded under section 15.355 to a housing business for a
33 housing project shall not exceed one million dollars.

34 b. If a housing business qualifies for a higher amount
35 of tax incentives under section 15.355 than is allowed by

LSB 5320HZ (2) 85

-11-

mm/sc

11/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 the limitation imposed in paragraph "a", the authority and
2 the housing business may negotiate an apportionment of the
3 reduction in tax incentives between the sales tax refund
4 provided in section 15.355, subsection 2, and the workforce
5 housing investment tax credits provided in section 15.355,
6 subsection 3, provided the total aggregate amount of tax
7 incentives after the apportioned reduction does not exceed the
8 amount in paragraph "a".

9 c. The authority shall issue tax incentives under the
10 program on a first-come, first-served basis until the maximum
11 amount of tax incentives allocated pursuant to section 15.119,
12 subsection 2, is reached. The authority shall maintain a list
13 of registered housing projects under the program so that if
14 the maximum aggregate amount of tax incentives is reached in
15 a given fiscal year, registered housing projects that were
16 completed but for which tax incentives were not issued shall
17 be placed on a wait list in the order the registered housing
18 projects were registered and shall be given priority for
19 receiving tax incentives in succeeding fiscal years.

20 5. *Termination and repayment.* The failure by a housing
21 business in completing a housing project to comply with any
22 requirement of this program or any of the terms and obligations
23 of an agreement entered into pursuant to this section may
24 result in the reduction, termination, or rescission of the
25 approved tax incentives and may subject the housing business
26 to the repayment or recapture of tax incentives claimed under
27 section 15.355. The repayment or recapture of tax incentives
28 pursuant to this section shall be accomplished in the same
29 manner as provided in section 15.330, subsection 2.

30 Sec. 17. NEW SECTION. 15.355 Workforce housing tax
31 incentives.

32 1. A housing business that has entered into an agreement
33 pursuant to section 15.354 is eligible to receive the tax
34 incentives described in subsections 2 and 3.

35 2. A housing business may claim a refund of the sales and



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 use taxes paid under chapter 423 that are directly related
2 to a housing project. The refund available pursuant to this
3 subsection shall be as provided in section 15.331A to the
4 extent applicable for purposes of this program.

5 3. a. A housing business may claim a tax credit in
6 an amount not to exceed ten percent of the qualifying new
7 investment of a housing project.

8 b. The tax credit shall be allowed against the taxes imposed
9 in chapter 422, divisions II, III, and V, and in chapter 432,
10 and against the moneys and credits tax imposed in section
11 533.329.

12 c. An individual may claim a tax credit under this
13 subsection of a partnership, limited liability company,
14 S corporation, estate, or trust electing to have income
15 taxed directly to the individual. The amount claimed by the
16 individual shall be based upon the pro rata share of the
17 individual's earnings from the partnership, limited liability
18 company, S corporation, estate, or trust.

19 d. Any tax credit in excess of the taxpayer's liability
20 for the tax year is not refundable but may be credited to the
21 tax liability for the following five years or until depleted,
22 whichever is earlier.

23 e. (1) To claim a tax credit under this subsection, a
24 taxpayer shall include one or more tax credit certificates with
25 the taxpayer's tax return.

26 (2) The tax credit certificate shall contain the taxpayer's
27 name, address, tax identification number, the amount of the
28 credit, the name of the eligible housing business, any other
29 information required by the department of revenue, and a place
30 for the name and tax identification number of a transferee and
31 the amount of the tax credit being transferred.

32 (3) The tax credit certificate, unless rescinded by the
33 authority, shall be accepted by the department of revenue as
34 payment for taxes imposed pursuant to chapter 422, divisions
35 II, III, and V, and in chapter 432, and for the moneys and

LSB 5320HZ (2) 85

-13-

mm/sc

13/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 credits tax imposed in section 533.329, subject to any
2 conditions or restrictions placed by the authority upon
3 the face of the tax credit certificate and subject to the
4 limitations of this program.

5 (4) Tax credit certificates issued under section 15.354,
6 subsection 3, paragraph "e", may be transferred to any person.
7 Within ninety days of transfer, the transferee shall submit the
8 transferred tax credit certificate to the department of revenue
9 along with a statement containing the transferee's name, tax
10 identification number, and address, the denomination that each
11 replacement tax credit certificate is to carry, and any other
12 information required by the department of revenue. However,
13 tax credit certificate amounts of less than the minimum amount
14 established by rule of the authority shall not be transferable.

15 (5) Within thirty days of receiving the transferred
16 tax credit certificate and the transferee's statement, the
17 department of revenue shall issue one or more replacement tax
18 credit certificates to the transferee. Each replacement tax
19 credit certificate must contain the information required for
20 the original tax credit certificate and must have the same
21 expiration date that appeared on the transferred tax credit
22 certificate.

23 (6) A tax credit shall not be claimed by a transferee
24 under this section until a replacement tax credit certificate
25 identifying the transferee as the proper holder has been
26 issued. The transferee may use the amount of the tax credit
27 transferred against the taxes imposed in chapter 422, divisions
28 II, III, and V, and in chapter 432, and against the moneys and
29 credits tax imposed in section 533.329, for any tax year the
30 original transferor could have claimed the tax credit. Any
31 consideration received for the transfer of the tax credit shall
32 not be included as income under chapter 422, divisions II,
33 III, and V. Any consideration paid for the transfer of the tax
34 credit shall not be deducted from income under chapter 422,
35 divisions II, III, and V.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 *f.* For purposes of the individual and corporate income
2 taxes and the franchise tax, the increase in the basis of the
3 property that would otherwise result from the qualifying new
4 investment shall be reduced by the amount of the tax credit
5 computed under this subsection.

6 Sec. 18. NEW SECTION. **15.356 Rules.**

7 The authority and the department of revenue shall adopt
8 rules as necessary for the implementation and administration
9 of this part.

10 Sec. 19. NEW SECTION. **422.11C Workforce housing investment**
11 **tax credit.**

12 The taxes imposed under this division, less the credits
13 allowed under section 422.12, shall be reduced by a workforce
14 housing investment tax credit allowed under section 15.355,
15 subsection 3.

16 Sec. 20. Section 422.33, Code 2014, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 15. The taxes imposed under this division
19 shall be reduced by a workforce housing investment tax credit
20 allowed under section 15.355, subsection 3.

21 Sec. 21. Section 422.60, Code 2014, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 12. The taxes imposed under this division
24 shall be reduced by a workforce housing investment tax credit
25 allowed under section 15.355, subsection 3.

26 Sec. 22. NEW SECTION. **432.12G Workforce housing investment**
27 **tax credit.**

28 The taxes imposed under this chapter shall be reduced by a
29 workforce housing investment tax credit allowed under section
30 15.355, subsection 3.

31 Sec. 23. Section 533.329, subsection 2, Code 2014, is
32 amended by adding the following new paragraph:

33 NEW PARAGRAPH. *k.* The moneys and credits tax imposed under
34 this section shall be reduced by a workforce housing investment
35 tax credit allowed under section 15.355, subsection 3.

LSB 5320HZ (2) 85

-15-

mm/sc

15/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 Sec. 24. EFFECTIVE UPON ENACTMENT. This division of this
2 Act, being deemed of immediate importance, takes effect upon
3 enactment.

4 Sec. 25. RETROACTIVE APPLICABILITY. This division of this
5 Act applies retroactively to January 1, 2014, for tax years
6 beginning on or after that date.

7 Sec. 26. APPLICABILITY. This division of this Act applies
8 to qualifying new investment costs incurred on or after the
9 effective date of this division of this Act.

10 DIVISION III

11 TERMINATION AND TRANSITION OF ENTERPRISE ZONE PROGRAM

12 Sec. 27. INVESTMENT TAX CREDITS ISSUED TO ELIGIBLE
13 HOUSING BUSINESSES UNDER THE ENTERPRISE ZONE PROGRAM —
14 TRANSFERABILITY. Notwithstanding the requirement in section
15 15E.193B, subsection 8, Code 2014, that not more than three
16 million dollars worth of tax credits for housing developments
17 located in a brownfield site or a blighted area shall be
18 eligible for transfer in a calendar year unless the eligible
19 housing business is also eligible for low-income housing tax
20 credits authorized under section 42 of the Internal Revenue
21 Code, and notwithstanding the requirement in section 15E.193B,
22 subsection 8, Code 2014, that the economic development
23 authority shall not approve more than one million five hundred
24 thousand dollars in tax credit certificates for transfer to
25 any one eligible housing business located on a brownfield
26 site or in a blighted area in a calendar year, all investment
27 tax credits determined under section 15E.193B, subsection 6,
28 paragraph "a", Code 2014, for housing developments located on
29 a brownfield site or in a blighted area may be approved by
30 the economic development authority for transfer in calendar
31 year 2014, or any subsequent calendar year, provided the
32 eligible housing business was awarded the investment tax credit
33 before the effective date of this section of this division
34 of this Act and notifies the economic development authority,
35 in writing, before July 1, 2014, of its intent to transfer

LSB 5320HZ (2) 85

-16-

mm/sc

16/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 such tax credits, and provided the eligible housing business
2 and the related housing development meet all other applicable
3 requirements under section 15E.193B, Code 2014.

4 Sec. 28. Section 2.48, subsection 3, paragraph e,
5 subparagraph (9), Code 2014, is amended by striking the
6 subparagraph.

7 Sec. 29. Section 15.106B, subsection 5, paragraph c, Code
8 2014, is amended to read as follows:

9 c. Fees collected by the authority pursuant to this
10 subsection shall be deposited in a fund within the state
11 treasury created pursuant to section 15.106A, subsection 1,
12 paragraph "o", and are appropriated to the authority for the
13 purposes set out in section 15.106A, subsection 1, paragraph
14 "o". However, fees collected by the authority pursuant to
15 section 15.330, subsection 12, ~~and~~ section 15E.198, Code 2014,
16 and section 15.354, subsection 3, paragraph "b", shall be used
17 exclusively for costs associated with the administration of due
18 diligence and compliance.

19 Sec. 30. Section 15.119, subsection 2, paragraph b, Code
20 2014, is amended to read as follows:

21 b. The enterprise zones program administered pursuant to
22 sections 15E.191 through 15E.197, Code 2014.

23 Sec. 31. Section 15A.1, subsection 5, paragraph c, Code
24 2014, is amended by striking the paragraph.

25 Sec. 32. Section 15H.5, subsection 2, Code 2014, is amended
26 to read as follows:

27 2. The Iowa summer youth corps program is established
28 to provide meaningful summer enrichment programming to
29 Iowa youth. The program shall be administered by the Iowa
30 commission on volunteer service using a competitive grant
31 process to implement projects in accordance with program
32 requirements. The commission shall adopt administrative rules
33 for the program, including but not limited to incentives, grant
34 criteria, and grantee selection processes. A percentage of the
35 grants shall be designated by the commission to address the

LSB 5320HZ (2) 85

-17-

mm/sc

17/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 needs of ~~city enterprise zones that meet the distress criteria~~
2 ~~outlined in section 15E.194~~ economically distressed areas as
3 defined in section 15.335C.

4 Sec. 33. Section 15H.5, subsection 5, paragraph c, Code
5 2014, is amended to read as follows:

6 c. The commission shall give priority consideration to
7 approving those projects that target communities that have
8 disproportionately high rates of juvenile crime or low rates
9 of high school graduation or that have been designated as ~~city~~
10 ~~enterprise zones that meet the distress criteria outlined in~~
11 ~~section 15E.194~~ economically distressed areas as defined in
12 section 15.335C.

13 Sec. 34. Section 15J.4, subsection 1, paragraph b, Code
14 2014, is amended to read as follows:

15 b. The area ~~is~~ was in whole or in part ~~either an a~~
16 designated economic development enterprise zone ~~designated~~
17 under chapter 15E, division XVIII, Code 2014, immediately prior
18 to the effective date of this Act, or the area is in whole or in
19 part an urban renewal area established pursuant to chapter 403.

20 Sec. 35. Section 403.19A, subsection 3, paragraph j, Code
21 2014, is amended to read as follows:

22 j. An employer may participate in a new jobs credit from
23 withholding under section 260E.5, or a supplemental new jobs
24 credit from withholding under section 15E.197, Code 2014,
25 or under section 15.331, Code 2005, at the same time as the
26 employer is participating in the withholding credit under this
27 section. Notwithstanding any other provision in this section,
28 the new jobs credit from withholding under section 260E.5, and
29 the supplemental new jobs credit from withholding under section
30 15E.197, Code 2014, or under section 15.331, Code 2005, shall
31 be collected and disbursed prior to the withholding credit
32 under this section.

33 Sec. 36. Section 422.11F, subsection 2, Code 2014, is
34 amended to read as follows:

35 2. The taxes imposed under this division, less the credits

LSB 5320HZ (2) 85

-18-

mm/sc

18/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 allowed under section 422.12, shall be reduced by investment
2 tax credits authorized pursuant to ~~sections~~ section 15.333 and
3 section 15E.193B, subsection 6, Code 2014.

4 Sec. 37. Section 422.16A, Code 2014, is amended to read as
5 follows:

6 **422.16A Job training withholding — certification and**
7 **transfer.**

8 Upon the completion by a business of its repayment
9 obligation for a training project funded under chapter 260E,
10 including a job training project funded under section 15A.8
11 or repaid in whole or in part by the supplemental new jobs
12 credit from withholding under section 15A.7 or section 15E.197,
13 Code 2014, the sponsoring community college shall report to
14 the economic development authority the amount of withholding
15 paid by the business to the community college during the
16 final twelve months of withholding payments. The economic
17 development authority shall notify the department of revenue
18 of that amount. The department shall credit to the workforce
19 development fund account established in section 15.342A
20 twenty-five percent of that amount each quarter for a period
21 of ten years. If the amount of withholding from the business
22 or employer is insufficient, the department shall prorate the
23 quarterly amount credited to the workforce development fund
24 account. The maximum amount from all employers which shall be
25 transferred to the workforce development fund account in any
26 year is four million dollars.

27 Sec. 38. Section 422.33, subsection 12, paragraph b, Code
28 2014, is amended to read as follows:

29 *b.* The taxes imposed under this division shall be reduced by
30 investment tax credits authorized pursuant to section 15.333
31 and section 15E.193B, subsection 6, Code 2014.

32 Sec. 39. Section 422.60, subsection 5, paragraph b, Code
33 2014, is amended to read as follows:

34 *b.* The taxes imposed under this division shall be reduced by
35 investment tax credits authorized pursuant to sections 15.333

LSB 5320HZ (2) 85

-19-

mm/sc

19/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 and 15E.193B, subsection 6, Code 2014.

2 Sec. 40. Section 432.12C, subsection 2, Code 2014, is
3 amended to read as follows:

4 2. The taxes imposed under this chapter shall be reduced by
5 investment tax credits authorized pursuant to section 15.333A
6 and section 15E.193B, subsection 6, Code 2014.

7 Sec. 41. REPEAL. Sections 15E.191, 15E.192, 15E.193,
8 15E.193B, 15E.194, 15E.195, 15E.196, 15E.197, and 15E.198, Code
9 2014, are repealed.

10 Sec. 42. EFFECTIVE UPON ENACTMENT. The following provision
11 or provisions of this division of this Act, being deemed of
12 immediate importance, take effect upon enactment:

13 1. The section of this division of this Act allowing
14 the transfer of certain investment tax credits issued to
15 eligible housing businesses under the enterprise zone program,
16 notwithstanding the requirements limiting transfer of such
17 credits under section 15E.193B, subsection 8.

18 Sec. 43. APPLICABILITY.

19 1. On or after the effective date of this division of this
20 Act, a city or county shall not create an enterprise zone under
21 chapter 15E, division XVIII, or enter into a new agreement or
22 amend an existing agreement under chapter 15E, division XVIII.

23 2. a. Agreements entered into under chapter 15E, division
24 XVIII before the effective date of this division of this
25 Act between an eligible business and a city, county, or
26 the economic development authority or between an eligible
27 business and the department of revenue and a community college
28 or between an eligible housing business and the economic
29 development authority shall remain in effect until they expire
30 under their own terms and except as otherwise provided in this
31 division of this Act, such agreements shall be governed by
32 chapter 15E, division XVIII, Code 2014.

33 b. The elimination of the enterprise zone program under this
34 Act shall not constitute grounds for rescission or modification
35 of agreements entered into under the program, except as

LSB 5320HZ (2) 85

-20-

mm/sc

20/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 otherwise provided in this division of this Act.
2 3. Except as otherwise provided in this division of this
3 Act, this division of this Act is not intended to and shall not
4 limit, modify, or otherwise adversely affect any tax credit
5 certificate or related tax credit issued before the effective
6 date of this Act or limit, modify, or otherwise adversely
7 affect the redemption or transfer of any tax credit or tax
8 credit certificate issued before the effective date of this
9 division of this Act.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill relates to the administration of programs by
14 the economic development authority (EDA) by modifying the
15 high quality jobs program, creating a workforce housing tax
16 incentives program, and repealing the enterprise zone program.

17 DIVISION I — HIGH QUALITY JOBS PROGRAM. Division I modifies
18 the high quality jobs program administered by the EDA. The
19 division adds a definition for "project" for purposes of the
20 program and strikes language that references the start-up,
21 location, or expansion of an eligible business, and replaces
22 it with reference to a "project". "Project" is defined as an
23 activity or set of activities directly related to the start-up,
24 location, modernization, or expansion of a business, and
25 proposed in an application by a business, that will result in
26 the accomplishment of the goals of the program.

27 The division amends the requirements for claiming the sales
28 and use tax refund under the program for the construction or
29 equipping of a facility of the eligible business to require
30 that the facility also be part of a project.

31 The division modifies the type of projects that will qualify
32 for tax incentives or project completion assistance under
33 the program. Under current law, the EDA only provides tax
34 incentives or project completion assistance to businesses
35 creating jobs if the business will pay at least 120 percent of

LSB 5320HZ (2) 85

-21-

mm/sc

21/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 the qualifying wage threshold, unless the business is located
2 in an economically distressed area, in which case the business
3 must pay at least 100 percent of the qualifying wage threshold.
4 Economically distressed areas include the 25 lowest-ranked Iowa
5 counties by average monthly or annual unemployment.

6 The division amends the definition of "economically
7 distressed area" by increasing to 33 from 25 the number of Iowa
8 counties that will qualify as an economically distressed area.
9 The division also permits businesses creating or retaining
10 jobs as part of a project at a grayfield site or a brownfield
11 site, as currently defined in statute, to qualify for tax
12 incentives or project completion assistance if the business
13 will pay at least 100 percent or 90 percent, respectively, of
14 the qualifying wage threshold.

15 The division applies to high quality jobs program agreements
16 entered into on or after the effective date of the division,
17 and high quality jobs program agreements entered into prior to
18 the effective date of the division shall be governed by current
19 law.

20 DIVISION II — WORKFORCE HOUSING TAX INCENTIVES PROGRAM.
21 Division II creates a workforce housing tax incentives program
22 (program) that will be administered by the EDA and that will
23 provide tax incentives to housing businesses that complete
24 housing projects in the state. A "housing business" means a
25 business that is a housing developer, housing contractor, or
26 nonprofit organization that completes a housing project in the
27 state. In order to qualify for the tax incentives under the
28 program, a housing project must meet several requirements.

29 First, the housing project must consist of a certain type
30 and number of dwelling units. The project must include, at
31 a minimum, four or more single-family dwelling units, one or
32 more multiple dwelling unit buildings that each contain three
33 or more individual dwelling units, or two or more dwelling
34 units located in the upper story of an existing multi-use
35 building. "Multi-use building" is defined as a building

LSB 5320HZ (2) 85

-22-

mm/sc

22/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 whose street-level ground story is used for a purpose that is
2 other than residential, and whose upper story or stories are
3 currently used for a residential purpose, or will be used for
4 a residential purpose after completion of the housing project
5 associated with the building.

6 Second, the housing project must involve a certain type of
7 development in a certain geographic location. The project may
8 involve the rehabilitation, repair, or redevelopment of any
9 dwelling unit if it occurs at a brownfield or grayfield site,
10 as those terms are defined in the bill, or in a distressed
11 workforce housing community. The project may involve the
12 rehabilitation, repair, or redevelopment anywhere in the state
13 of a dilapidated dwelling unit or a dwelling unit located in
14 the upper story of an existing multi-use building. The project
15 may involve the new construction of a dwelling unit if it is in
16 a distressed workforce housing community, but shall not include
17 the new construction of a multi-use building.

18 The designation of a community as a distressed workforce
19 housing community shall be within the discretion of the EDA
20 after it considers the merits of all applications for such a
21 designation and the demand for projects in distressed workforce
22 housing communities compared to the demand for all other
23 projects and after considering whether or not a particular
24 community has a severe housing shortage relative to demand,
25 low vacancy rates, or rising housing costs combined with low
26 unemployment. "Community" means a city or county.

27 Third, the average dwelling unit cost of a housing project
28 must not exceed \$200,000 per dwelling unit, or \$250,000 per
29 dwelling unit if the project involves the rehabilitation,
30 repair, redevelopment, or preservation of "eligible property",
31 which means the same as defined for purposes of the historic
32 preservation and cultural and entertainment district tax credit
33 in Code chapter 404A and includes property listed or eligible
34 for listing on the national register of historic places or
35 property designated or eligible for designation as of historic

LSB 5320HZ (2) 85

-23-

mm/sc

23/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 significance to a district listed in the national register of
2 historic places or property or a district designated a local
3 landmark by a city or county ordinance or property that is a
4 barn constructed prior to 1937.

5 Fourth, the dwelling units that are part of the housing
6 project must meet the United States Department of Housing and
7 Urban Development's housing quality standards and applicable
8 local safety standards.

9 A housing business seeking tax incentives for a housing
10 project under the program is required to apply to the EDA.
11 The application must include a resolution in support of the
12 housing project by the community where the housing project will
13 be located, documentation of local matching funds pledged of
14 \$1,000 or more per dwelling unit, a funding agreement between
15 the housing business and the community, a report describing all
16 violations of environmental law or worker safety law within the
17 last five years, and any other information deemed necessary by
18 the EDA to evaluate the eligibility and financial need of the
19 housing project under the program. The EDA is not required to
20 accept applications on a continuous basis. Upon review of an
21 application, the EDA may register a housing project under the
22 program. The EDA is required to notify a housing business of
23 successful registration and the amount of tax incentives for
24 which the EDA preliminarily determines it qualifies for. A
25 housing business is then required to enter into an agreement
26 with the EDA for the successful completion of its housing
27 project within three years from the date it was registered by
28 the EDA. A compliance cost fee equal to 0.5 percent of the
29 value of the tax incentives claimed pursuant to an agreement
30 will be imposed upon all agreements with an aggregate tax
31 incentive value of \$100,000 or greater.

32 A housing business that fails to comply with the
33 requirements of the program or the terms of an agreement with
34 the EDA may have its tax incentives reduced, terminated, or
35 rescinded, and may be subject to the repayment or recapture of

LSB 5320HZ (2) 85

-24-

mm/sc

24/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 claimed tax incentives.

2 Upon completion of a registered housing project, a
3 housing business must have its housing project audited by
4 an independent certified public accountant licensed in this
5 state. The EDA will then review the audit, verify the amount
6 of workforce investment tax credits the eligible business may
7 claim, and issue a tax credit certificate for that amount.

8 The maximum amount of tax incentives that may be awarded
9 by the EDA to a housing business for a housing project shall
10 not exceed \$1 million. In the event a housing business
11 qualifies for tax incentives in excess of \$1 million, the
12 housing business and EDA may negotiate an apportionment of the
13 reduction between the program's two tax incentives.

14 The program provides two different tax incentives. The
15 first is a refund of the sales and use taxes paid that are
16 directly related to the housing project. The bill provides
17 that the willful making of a false report in connection with
18 the sales and use tax refund is a simple misdemeanor. A simple
19 misdemeanor is punishable by confinement for no more than 30
20 days or a fine of at least \$65 but not more than \$625, or by
21 both. The second is a workforce housing investment tax credit
22 in an amount not to exceed 10 percent of the qualifying new
23 investment of the housing project. "Qualifying new investment"
24 means the costs directly related to the acquisition, repair,
25 rehabilitation, or redevelopment of the housing project.
26 "Qualifying new investment" also includes costs that are
27 directly related to new construction of dwelling units if the
28 new construction occurs in a distressed workforce housing
29 community. However, "qualifying new investment" does not
30 include the portion of the total costs financed by federal,
31 state, or local government tax credits, grants, forgivable
32 loans, or other forms of nonrepayable financial assistance,
33 excluding the tax incentives provided under the program. Also,
34 if the housing project includes the rehabilitation, repair, or
35 redevelopment of an existing multi-use building, "qualifying

LSB 5320HZ (2) 85

-25-

mm/sc

25/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 new investment" does not include the portion of the total
2 acquisition costs of the multi-use building that is used for a
3 purpose that is other than residential.

4 The workforce housing investment tax credit may be claimed
5 against the individual income tax, the corporate income
6 tax, the franchise tax, the insurance companies tax, and the
7 moneys and credits tax. To claim a tax credit, a taxpayer
8 must include a tax credit certificate with the taxpayer's
9 tax return. The credit is nonrefundable but may be credited
10 to the tax liability for five years. The tax credit may
11 be transferred to any person or entity, and the division
12 establishes procedures for the proper transfer of the tax
13 credit. For purposes of the individual and corporate income
14 taxes and the franchise tax, when the tax basis of property is
15 increased as a result of qualifying new investment, that tax
16 basis shall be reduced by the amount of the workforce housing
17 investment tax credit issued under the program.

18 The division provides that the program is part of the EDA's
19 maximum aggregate tax credit cap of \$170 million per fiscal
20 year, and not more than \$20 million per fiscal year may be
21 issued by the EDA under the program. The EDA is required
22 to issue tax incentives under the program on a first-come,
23 first-served basis until the maximum amount of \$20 million
24 per fiscal year is reached. If the amount of tax incentives
25 exceeds this amount in a fiscal year, the EDA is required to
26 establish a wait list and give priority in subsequent years to
27 the registered housing projects on the wait list.

28 The division takes effect upon enactment and applies to
29 qualifying new investment costs incurred on or after that date.
30 The division applies retroactively to January 1, 2014, for tax
31 years beginning on or after that date.

32 The EDA and the department of revenue are required to adopt
33 rules as necessary for the joint administration of the program.

34 DIVISION III — ENTERPRISE ZONE PROGRAM. Division III
35 repeals the enterprise zone program administered by the EDA

LSB 5320HZ (2) 85

-26-

mm/sc

26/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 and makes conforming changes to references in the Code to the
2 enterprise zone program and its corresponding tax incentives.

3 The division amends the distribution criteria for grants and
4 projects under the Iowa summer youth corps program to provide
5 that a percentage of grants, and certain priority consideration
6 for projects, shall be given to economically distressed areas,
7 as defined in Code section 15.335C, instead of enterprise
8 zones.

9 The division amends the qualification that an area be part of
10 an enterprise zone in order to be designated as a reinvestment
11 district under the Iowa reinvestment Act in Code chapter 15J to
12 require that an area be part of an enterprise zone that existed
13 immediately prior to the effective date of the division.

14 Under current law, investment tax credits issued to
15 eligible housing businesses under the enterprise zone program
16 are transferrable if the housing development is located on
17 a brownfield site or in a blighted area, or if the housing
18 development is receiving low-income housing tax credits under
19 section 42 of the Internal Revenue Code (IRC). However, under
20 current law, the EDA may not approve for transfer in any one
21 calendar year more than \$3 million worth of such tax credits
22 for those housing projects not receiving low-income housing tax
23 credits under section 42 of the IRC. The division notwithstanding
24 those current Code provisions and permits investment tax
25 credits already issued or that will be issued to an eligible
26 housing business under an existing enterprise zone agreement
27 with the EDA for housing developments located on a brownfield
28 site or in a blighted area to be eligible for transfer in
29 calendar year 2014, or any subsequent calendar year, provided
30 the eligible housing business was awarded the investment tax
31 credit before the effective date of this section of the bill
32 and notifies the authority, in writing, before July 1, 2014, of
33 its intent to transfer such tax credits. This section of the
34 bill takes effect upon enactment.

35 The division prohibits a city or county from creating an

LSB 5320HZ (2) 85

-27-

mm/sc

27/28



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. 2448

1 enterprise zone, entering into a new enterprise zone agreement,
2 or amending an existing enterprise zone agreement, on or after
3 the effective date of the division.

4 The division provides that existing enterprise zone
5 agreements between an eligible business or an eligible housing
6 business and a city, county, or the EDA, including existing
7 supplemental new jobs credit from withholding agreements
8 between an eligible business and the department of revenue and
9 a community college, shall remain in effect until they expire
10 under their own terms and shall be governed by chapter 15E,
11 division XVIII, Code 2014. The elimination of the enterprise
12 zone program under the division shall not constitute grounds
13 for rescission or modification of enterprise zone agreements.

14 Except as provided in the division, tax credit certificates
15 or related tax credits issued before the effective date of
16 the division are not intended to and shall not be limited,
17 modified, or otherwise adversely affected by the division.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House Study Bill 676 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
HOUSE APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE
SYSTEM)

(SUCCESSOR TO LSB 5008HA)

A BILL FOR

1 An Act relating to appropriations to the judicial branch.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 5008HB (2) 85
jm/jp



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 Section 1. 2013 Iowa Acts, chapter 133, section 7, is
2 amended to read as follows:

3 SEC. 7. JUDICIAL BRANCH.

4 1. There is appropriated from the general fund of the state
5 to the judicial branch for the fiscal year beginning July 1,
6 2014, and ending June 30, 2015, the following amount, or so
7 much thereof as is necessary, to be used for the purposes
8 designated:

9 a. For salaries of supreme court justices, appellate court
10 judges, district court judges, district associate judges,
11 associate juvenile judges, associate probate judges, judicial
12 magistrates and staff, state court administrator, clerk of the
13 supreme court, district court administrators, clerks of the
14 district court, juvenile court officers, board of law examiners
15 and board of examiners of shorthand reporters and judicial
16 qualifications commission; receipt and disbursement of child
17 support payments; reimbursement of the auditor of state for
18 expenses incurred in completing audits of the offices of the
19 clerks of the district court during the fiscal year beginning
20 July 1, 2014; and maintenance, equipment, and miscellaneous
21 purposes:

22 \$ ~~82,299,684~~
23 171,486,612

24 b. For deposit in the revolving fund created pursuant
25 to section 602.1302, subsection 3, for jury and witness
26 fees, mileage, costs related to summoning jurors, fees for
27 interpreters, and reimbursement of attorney fees paid by the
28 state public defender:

29 \$ ~~1,550,000~~
30 3,100,000

31 2. The judicial branch, except for purposes of internal
32 processing, shall use the current state budget system, the
33 state payroll system, and the Iowa finance and accounting
34 system in administration of programs and payments for services,
35 and shall not duplicate the state payroll, accounting, and

LSB 5008HB (2) 85

-1-

jm/jp

1/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 budgeting systems.

2 3. The judicial branch shall submit monthly financial
3 statements to the legislative services agency and the
4 department of management containing all appropriated accounts
5 in the same manner as provided in the monthly financial status
6 reports and personal services usage reports of the department
7 of administrative services. The monthly financial statements
8 shall include a comparison of the dollars and percentage
9 spent of budgeted versus actual revenues and expenditures on
10 a cumulative basis for full-time equivalent positions and
11 dollars.

12 4. The judicial branch shall focus efforts upon the
13 collection of delinquent fines, penalties, court costs, fees,
14 surcharges, or similar amounts.

15 5. It is the intent of the general assembly that the offices
16 of the clerks of the district court operate in all 99 counties
17 and be accessible to the public as much as is reasonably
18 possible in order to address the relative needs of the citizens
19 of each county.

20 6. In addition to the requirements for transfers under
21 section 8.39, the judicial branch shall not change the
22 appropriations from the amounts appropriated to the judicial
23 branch in this division of this Act, unless notice of the
24 revisions is given prior to their effective date to the
25 legislative services agency. The notice shall include
26 information on the branch's rationale for making the changes
27 and details concerning the workload and performance measures
28 upon which the changes are based.

29 7. The judicial branch shall submit a semiannual update
30 to the legislative services agency specifying the amounts of
31 fines, surcharges, and court costs collected using the Iowa
32 court information system since the last report. The judicial
33 branch shall continue to facilitate the sharing of vital
34 sentencing and other information with other state departments
35 and governmental agencies involved in the criminal justice

LSB 5008HB (2) 85

-2-

jm/jp

2/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 system through the Iowa court information system.
2 8. The judicial branch shall provide a report to the general
3 assembly by January 1, 2015, concerning the amounts received
4 and expended from the enhanced court collections fund created
5 in section 602.1304 and the court technology and modernization
6 fund created in section 602.8108, subsection 7, during the
7 fiscal year beginning July 1, 2013, and ending June 30, 2014,
8 and the plans for expenditures from each fund during the fiscal
9 year beginning July 1, 2014, and ending June 30, 2015. A copy
10 of the report shall be provided to the legislative services
11 agency.
12 Sec. 2. 2013 Iowa Acts, chapter 133, section 8, is amended
13 to read as follows:
14 SEC. 8. CIVIL TRIALS — LOCATION. Notwithstanding any
15 provision to the contrary, for the fiscal year beginning July
16 1, 2014, and ending June 30, 2015, if all parties in a case
17 agree, a civil trial including a jury trial may take place in a
18 county contiguous to the county with proper jurisdiction, even
19 if the contiguous county is located in an adjacent judicial
20 district or judicial election district. If the trial is moved
21 pursuant to this section, court personnel shall treat the case
22 as if a change of venue occurred. However, if a trial is moved
23 to an adjacent judicial district or judicial election district,
24 the judicial officers serving in the judicial district or
25 judicial election district receiving the case shall preside
26 over the case.
27 Sec. 3. 2013 Iowa Acts, chapter 133, section 9, is amended
28 to read as follows:
29 SEC. 9. TRAVEL REIMBURSEMENT. Notwithstanding section
30 602.1509, for the fiscal year beginning July 1, 2014, a
31 judicial officer may waive travel reimbursement for any travel
32 outside the judicial officer's county of residence to conduct
33 official judicial business.
34 Sec. 4. 2013 Iowa Acts, chapter 133, section 10, is amended
35 to read as follows:

LSB 5008HB (2) 85

-3-

jm/jp

3/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 SEC. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —
2 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
3 required to be provided by the judicial branch for fiscal year
4 2014-2015 to the legislative services agency shall be provided
5 in an electronic format. The legislative services agency shall
6 post the reports on its internet website and shall notify by
7 electronic means all the members of the joint appropriations
8 subcommittee on the justice system when a report is posted.
9 Upon request, copies of the reports may be mailed to members of
10 the joint appropriations subcommittee on the justice system.

11 Sec. 5. 2013 Iowa Acts, chapter 133, section 11, is amended
12 to read as follows:

13 SEC. 11. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
14 the annual salary rates for judicial officers established by
15 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year
16 beginning July 1, 2014, and ending June 30, 2015, the supreme
17 court may by order place all judicial officers on unpaid leave
18 status on any day employees of the judicial branch are placed
19 on temporary layoff status. The biweekly pay of the judicial
20 officers shall be reduced accordingly for the pay period in
21 which the unpaid leave date occurred in the same manner as
22 for noncontract employees of the judicial branch. Through
23 the course of the fiscal year, the judicial branch may use an
24 amount equal to the aggregate amount of salary reductions due
25 to the judicial officer unpaid leave days for any purpose other
26 than for judicial salaries.

27 Sec. 6. 2013 Iowa Acts, chapter 133, section 12, is amended
28 to read as follows:

29 SEC. 12. IOWA COMMUNICATIONS NETWORK. It is the intent
30 of the general assembly that the judicial branch utilize
31 the Iowa communications network or other secure electronic
32 communications in lieu of traveling for the fiscal year
33 beginning July 1, 2014.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

LSB 5008HB (2) 85

-4-

jm/jp

4/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 the explanation's substance by the members of the general assembly.

2 This bill makes appropriations to the judicial branch.

3 The bill appropriates from the general fund of the state for
4 FY 2014-2015 to the judicial branch for salaries, maintenance,
5 equipment, and miscellaneous purposes.

6 The bill provides that a civil trial including a jury trial
7 may take place in a county contiguous to the county with proper
8 jurisdiction, even if the contiguous county is located in an
9 adjacent judicial district or judicial election district, if
10 all the parties in a case agree. If a trial is moved to another
11 county that is located in another judicial district or judicial
12 election district, the judicial officers serving the judicial
13 district or judicial election district receiving the case shall
14 preside over the case.

15 The bill permits a judicial officer to waive travel
16 reimbursement for any travel outside the judicial officer's
17 county of residence to conduct official business.

18 The bill requires the judicial branch to file reports with
19 the legislative services agency in an electronic format.

20 The bill allows a judicial officer to be placed on unpaid
21 leave for the fiscal year beginning July 1, 2014, and ending
22 June 30, 2015, on any day a court employee is required to
23 furlough. The bill provides that if a judicial officer is
24 placed on unpaid leave, the salary of the judicial officer
25 shall be reduced accordingly for the pay period in which the
26 unpaid leave occurred. Through the course of the fiscal year,
27 the bill provides that the judicial branch may use an amount
28 equal to the aggregate amount of the salary reductions due
29 to judicial officer unpaid leave for any purpose other than
30 judicial salaries.

LSB 5008HB (2) 85

-5-

jm/jp

5/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House Study Bill 677 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
HOUSE APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE
SYSTEM)

A BILL FOR

1 An Act relating to appropriations to the justice system and
2 including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5007HB (2) 85
jm/jp



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 DIVISION I
2 FY 2013-2014 — APPROPRIATIONS
3 Section 1. 2013 Iowa Acts, chapter 139, section 3, paragraph
4 a, is amended to read as follows:
5 a. For the operation of the Fort Madison correctional
6 facility, including salaries, support, maintenance, and
7 miscellaneous purposes:
8 \$ 43,107,133
9 Of the amount appropriated in this paragraph, the department
10 may use up to \$500,000 for the remodel of the relocated John
11 Bennett facility and the demolition of the existing farm
12 bunkhouse adjacent to the newly constructed Fort Madison
13 correctional facility. Notwithstanding section 8.33, moneys
14 allocated in this unnumbered paragraph designated for the
15 remodel and demolition that remain unencumbered or unobligated
16 at the close of the fiscal year shall not revert but shall
17 remain available to be used for the purposes designated until
18 the close of the succeeding fiscal year.
19 Sec. 2. EFFECTIVE UPON ENACTMENT. This division of this
20 Act, being deemed of immediate importance, takes effect upon
21 enactment.

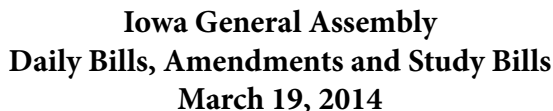
22 DIVISION II
23 FY 2014-2015 — APPROPRIATIONS
24 Sec. 3. 2013 Iowa Acts, chapter 139, section 19, is amended
25 to read as follows:
26 SEC. 19. DEPARTMENT OF JUSTICE.
27 1. There is appropriated from the general fund of the state
28 to the department of justice for the fiscal year beginning July
29 1, 2014, and ending June 30, 2015, the following amounts, or
30 so much thereof as is necessary, to be used for the purposes
31 designated:
32 a. For the general office of attorney general for salaries,
33 support, maintenance, and miscellaneous purposes, including
34 the prosecuting attorneys training program, matching funds
35 for federal violence against women grant programs, victim

LSB 5007HB (2) 85

-1-

jm/jp

1/27



1 assistance grants, office of drug control policy prosecuting
2 attorney program, and odometer fraud enforcement, and for not
3 more than the following full-time equivalent positions:

7 It is the intent of the general assembly that as a condition
8 of receiving the appropriation provided in this lettered
9 paragraph, the department of justice shall maintain a record
10 of the estimated time incurred representing each agency or
11 department.

15 The funds appropriated in this lettered paragraph shall be
16 used to provide grants to care providers providing services to
17 crime victims of domestic abuse or to crime victims of rape and
18 sexual assault.

19 The balance of the victim compensation fund established in
20 section 915.94 may be used to provide salary and support of not
21 more than 24 FTEs and to provide maintenance for the victim
22 compensation functions of the department of justice.

23 The department of justice shall transfer at least \$150,000
24 from the victim compensation fund established in section 915.94
25 to the victim assistance grant program.

2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2015, pursuant to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 are not limited to reimbursements from other state agencies,
2 commissions, boards, or similar entities, and reimbursements
3 from special funds or internal accounts within the department
4 of justice. The department of justice shall also report actual
5 reimbursements for the fiscal year commencing July 1, 2013,
6 and actual and expected reimbursements for the fiscal year
7 commencing July 1, 2014.

8 b. The department of justice shall include the report
9 required under paragraph "a", as well as information regarding
10 any revisions occurring as a result of reimbursements actually
11 received or expected at a later date, in a report to the
12 co-chairpersons and ranking members of the joint appropriations
13 subcommittee on the justice system and the legislative services
14 agency. The department of justice shall submit the report on
15 or before January 15, 2015.

16 Sec. 4. 2013 Iowa Acts, chapter 139, section 20, is amended
17 to read as follows:

18 SEC. 20. OFFICE OF CONSUMER ADVOCATE. There is appropriated
19 from the department of commerce revolving fund created in
20 section 546.12 to the office of consumer advocate of the
21 department of justice for the fiscal year beginning July 1,
22 2014, and ending June 30, 2015, the following amount, or so
23 much thereof as is necessary, to be used for the purposes
24 designated:

25 For salaries, support, maintenance, miscellaneous purposes,
26 and for not more than the following full-time equivalent
27 positions:

28	\$	1,568,082
29		<u>3,137,588</u>
30	FTEs	22.00

31 Sec. 5. 2013 Iowa Acts, chapter 139, section 21, is amended
32 to read as follows:

33 SEC. 21. DEPARTMENT OF CORRECTIONS — FACILITIES.

34 1. There is appropriated from the general fund of the
35 state to the department of corrections for the fiscal year

LSB 5007HB (2) 85

-3-

jm/jp

3/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 beginning July 1, 2014, and ending June 30, 2015, the following
2 amounts, or so much thereof as is necessary, to be used for the
3 operation of adult correctional institutions, reimbursement
4 of counties for certain confinement costs, and federal prison
5 reimbursement, to be allocated as follows:

6 a. For the operation of the Fort Madison correctional
7 facility, including salaries, support, maintenance, and
8 miscellaneous purposes:

9 \$ ~~21,553,567~~
10 42,655,684

11 b. For the operation of the Anamosa correctional facility,
12 including salaries, support, maintenance, and miscellaneous
13 purposes:

14 \$ ~~16,460,261~~
15 33,344,253

16 It is the intent of the general assembly that the department
17 of corrections maintain and operate the Luster Heights prison
18 camp.

19 c. For the operation of the Oakdale correctional facility,
20 including salaries, support, maintenance, and miscellaneous
21 purposes:

22 \$ ~~29,275,062~~
23 59,132,786

24 d. For the operation of the Newton correctional facility,
25 including salaries, support, maintenance, and miscellaneous
26 purposes:

27 \$ ~~13,563,645~~
28 27,464,108

29 e. For the operation of the Mt. Pleasant correctional
30 facility, including salaries, support, maintenance, and
31 miscellaneous purposes:

32 \$ ~~12,405,714~~
33 24,982,135

34 f. For the operation of the Rockwell City correctional
35 facility, including salaries, support, maintenance, and

LSB 5007HB (2) 85

-4-

jm/jp

4/27

Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 miscellaneous purposes:

2 \$ ~~4,835,574~~

3 9,728,353

4 g. For the operation of the Clarinda correctional facility,
5 including salaries, support, maintenance, and miscellaneous
6 purposes:

7 \$ ~~12,620,808~~

8	25,717,430
---	------------

9 Moneys received by the department of corrections as
10 reimbursement for services provided to the Clarinda youth
11 corporation are appropriated to the department and shall be
12 used for the purpose of operating the Clarinda correctional
13 facility.

14 h. For the operation of the Mitchellville correctional
15 facility, including salaries, support, maintenance, and
16 miscellaneous purposes:

17 \$ ~~10,802,018~~

18	21,937,970
----	------------

19 i. For the operation of the Fort Dodge correctional
20 facility, including salaries, support, maintenance, and
21 miscellaneous purposes:

22 \$ ~~14,932,616~~

23 29,989,648

24 j. For reimbursement of counties for temporary confinement
25 of work release and parole violators, as provided in sections
26 901.7, 904.908, and 906.17, and for offenders confined pursuant
27 to section 904.513:

28 \$ ~~537,546~~

29 1,075,092

30 k. For federal prison reimbursement, reimbursements for
31 out-of-state placements, and miscellaneous contracts:

32 \$ ~~242,206~~

33 484,411

34 2. The department of corrections shall use moneys
35 appropriated in subsection 1 to continue to contract for the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 services of a Muslim imam and a Native American spiritual
2 leader.

3 Sec. 6. 2013 Iowa Acts, chapter 139, section 22, is amended
4 to read as follows:

5 SEC. 22. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

6 There is appropriated from the general fund of the state to the
7 department of corrections for the fiscal year beginning July
8 1, 2014, and ending June 30, 2015, the following amounts, or
9 so much thereof as is necessary, to be used for the purposes
10 designated:

11 1. For general administration, including salaries, support,
12 maintenance, employment of an education director to administer
13 a centralized education program for the correctional system,
14 and miscellaneous purposes:

15	\$ 2,540,791
16	<u>5,270,010</u>

17 a. It is the intent of the general assembly that each
18 lease negotiated by the department of corrections with a
19 private corporation for the purpose of providing private
20 industry employment of inmates in a correctional institution
21 shall prohibit the private corporation from utilizing inmate
22 labor for partisan political purposes for any person seeking
23 election to public office in this state and that a violation
24 of this requirement shall result in a termination of the lease
25 agreement.

26 b. It is the intent of the general assembly that as a
27 condition of receiving the appropriation provided in this
28 subsection the department of corrections shall not enter into
29 a lease or contractual agreement pursuant to section 904.809
30 with a private corporation for the use of building space for
31 the purpose of providing inmate employment without providing
32 that the terms of the lease or contract establish safeguards to
33 restrict, to the greatest extent feasible, access by inmates
34 working for the private corporation to personal identifying
35 information of citizens.

LSB 5007HB (2) 85

-6-

jm/jp

6/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 2. For educational programs for inmates at state penal
2 institutions:
3 \$ 1,304,055
4 2,608,109
5 a. To maximize the funding for educational programs,
6 the department shall establish guidelines and procedures to
7 prioritize the availability of educational and vocational
8 training for inmates based upon the goal of facilitating an
9 inmate's successful release from the correctional institution.
10 b. The director of the department of corrections may
11 transfer moneys from Iowa prison industries and the canteen
12 operating funds established pursuant to section 904.310, for
13 use in educational programs for inmates.
14 c. Notwithstanding section 8.33, moneys appropriated in
15 this subsection that remain unobligated or unexpended at the
16 close of the fiscal year shall not revert but shall remain
17 available to be used only for the purposes designated in this
18 subsection until the close of the succeeding fiscal year.
19 3. For the development of the Iowa corrections offender
20 network (ICON) data system:
21 \$ 1,000,000
22 2,000,000
23 4. For offender mental health and substance abuse
24 treatment:
25 \$ 11,160
26 22,319
27 ~~5. For viral hepatitis prevention and treatment:~~
28 ~~..... \$ 83,941~~
29 ~~6. For operations costs and miscellaneous purposes:~~
30 ~~..... \$ 1,285,655~~
31 7. It is the intent of the general assembly that for
32 the fiscal year addressed by this section the department of
33 corrections shall continue to operate the correctional farms
34 under the control of the department at the same or greater
35 level of participation and involvement as existed as of January

LSB 5007HB (2) 85

-7-

jm/jp

7/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 1, 2011; shall not enter into any rental agreement or contract
2 concerning any farmland under the control of the department
3 that is not subject to a rental agreement or contract as of
4 January 1, 2011, without prior legislative approval; and
5 shall further attempt to provide job opportunities at the
6 farms for inmates. The department shall attempt to provide
7 job opportunities at the farms for inmates by encouraging
8 labor-intensive farming or gardening where appropriate; using
9 inmates to grow produce and meat for institutional consumption;
10 researching the possibility of instituting food canning
11 and cook-and-chill operations; and exploring opportunities
12 for organic farming and gardening, livestock ventures,
13 horticulture, and specialized crops.

14 Sec. 7. 2013 Iowa Acts, chapter 139, section 23, is amended
15 to read as follows:

16 SEC. 23. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
17 SERVICES.

18 1. There is appropriated from the general fund of the state
19 to the department of corrections for the fiscal year beginning
20 July 1, 2014, and ending June 30, 2015, for salaries, support,
21 maintenance, and miscellaneous purposes, the following amounts,
22 or so much thereof as is necessary, to be allocated as follows:

23 a. For the first judicial district department of
24 correctional services:

25 \$ ~~7,049,543~~
26 14,653,677

27 b. For the second judicial district department of
28 correctional services:

29 \$ ~~5,435,213~~
30 11,098,361

31 c. For the third judicial district department of
32 correctional services:

33 \$ ~~3,552,933~~
34 7,241,257

35 d. For the fourth judicial district department of

LSB 5007HB (2) 85

-8-

jm/jp

8/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 correctional services:
2 \$ ~~2,747,655~~
3 5,608,005
4 e. For the fifth judicial district department of
5 correctional services, including funding for electronic
6 monitoring devices for use on a statewide basis:
7 \$ ~~9,687,714~~
8 19,817,516
9 f. For the sixth judicial district department of
10 correctional services:
11 \$ ~~7,319,269~~
12 14,833,623
13 g. For the seventh judicial district department of
14 correctional services:
15 \$ ~~3,804,891~~
16 7,745,173
17 h. For the eighth judicial district department of
18 correctional services:
19 \$ ~~4,103,307~~
20 8,133,194
21 2. Each judicial district department of correctional
22 services, within the funding available, shall continue programs
23 and plans established within that district to provide for
24 intensive supervision, sex offender treatment, diversion of
25 low-risk offenders to the least restrictive sanction available,
26 job development, and expanded use of intermediate criminal
27 sanctions.
28 3. Each judicial district department of correctional
29 services shall provide alternatives to prison consistent with
30 chapter 901B. The alternatives to prison shall ensure public
31 safety while providing maximum rehabilitation to the offender.
32 A judicial district department of correctional services may
33 also establish a day program.
34 4. The governor's office of drug control policy shall
35 consider federal grants made to the department of corrections

LSB 5007HB (2) 85

-9-

jm/jp

9/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 for the benefit of each of the eight judicial district
2 departments of correctional services as local government
3 grants, as defined pursuant to federal regulations.

4 5. The department of corrections shall continue to contract
5 with a judicial district department of correctional services to
6 provide for the rental of electronic monitoring equipment which
7 shall be available statewide.

8 Sec. 8. 2013 Iowa Acts, chapter 139, section 24, is amended
9 to read as follows:

10 SEC. 24. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
11 APPROPRIATIONS. Notwithstanding section 8.39, within the
12 moneys appropriated in this division of this Act to the
13 department of corrections, the department may reallocate the
14 moneys appropriated and allocated as necessary to best fulfill
15 the needs of the correctional institutions, administration
16 of the department, and the judicial district departments of
17 correctional services. However, in addition to complying with
18 the requirements of sections 904.116 and 905.8 and providing
19 notice to the legislative services agency, the department
20 of corrections shall also provide notice to the department
21 of management, prior to the effective date of the revision
22 or reallocation of an appropriation made pursuant to this
23 section. The department of corrections shall not reallocate an
24 appropriation or allocation for the purpose of eliminating any
25 program.

26 Sec. 9. 2013 Iowa Acts, chapter 139, section 25, is amended
27 to read as follows:

28 SEC. 25. INTENT — REPORTS.

29 1. The department of corrections in cooperation with
30 townships, the Iowa cemetery associations, and other nonprofit
31 or governmental entities may use inmate labor during the
32 fiscal year beginning July 1, 2014, to restore or preserve
33 rural cemeteries and historical landmarks. The department in
34 cooperation with the counties may also use inmate labor to
35 clean up roads, major water sources, and other water sources

LSB 5007HB (2) 85

-10-

jm/jp

10/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 around the state.

2 2. On a quarterly basis the department shall provide a
3 status report regarding private-sector employment to the
4 legislative services agency beginning on July 1, 2014. The
5 report shall include the number of offenders employed in the
6 private sector, the combined number of hours worked by the
7 offenders, the total amount of allowances, and the distribution
8 of allowances pursuant to section 904.702, including any moneys
9 deposited in the general fund of the state.

10 Sec. 10. 2013 Iowa Acts, chapter 139, section 26, is amended
11 to read as follows:

12 SEC. 26. ELECTRONIC MONITORING REPORT. The department of
13 corrections shall submit a report on electronic monitoring to
14 the general assembly, to the co-chairpersons and the ranking
15 members of the joint appropriations subcommittee on the justice
16 system, and to the legislative services agency by January
17 15, 2015. The report shall specifically address the number
18 of persons being electronically monitored and break down the
19 number of persons being electronically monitored by offense
20 committed. The report shall also include a comparison of any
21 data from the prior fiscal year with the current year.

22 Sec. 11. 2013 Iowa Acts, chapter 139, section 27, is amended
23 to read as follows:

24 SEC. 27. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

25 1. As used in this section, unless the context otherwise
26 requires, "state agency" means the government of the state
27 of Iowa, including but not limited to all executive branch
28 departments, agencies, boards, bureaus, and commissions, the
29 judicial branch, the general assembly and all legislative
30 agencies, institutions within the purview of the state board of
31 regents, and any corporation whose primary function is to act
32 as an instrumentality of the state.

33 2. State agencies are hereby encouraged to purchase
34 products from Iowa state industries, as defined in section
35 904.802, when purchases are required and the products are

LSB 5007HB (2) 85

-11-

jm/jp

11/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 available from Iowa state industries. State agencies shall
2 obtain bids from Iowa state industries for purchases of
3 office furniture during the fiscal year beginning July 1,
4 2014, exceeding \$5,000 or in accordance with applicable
5 administrative rules related to purchases for the agency.
6 Sec. 12. 2013 Iowa Acts, chapter 139, section 28, is amended
7 to read as follows:

8 SEC. 28. IOWA LAW ENFORCEMENT ACADEMY.

9 1. There is appropriated from the general fund of the
10 state to the Iowa law enforcement academy for the fiscal year
11 beginning July 1, 2014, and ending June 30, 2015, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purposes designated:

14 For salaries, support, maintenance, miscellaneous purposes,
15 including jailer training and technical assistance, and for not
16 more than the following full-time equivalent positions:

17	\$	500,849
18		<u>1,003,214</u>
19	FTEs	23.88
20		<u>23.00</u>

21 It is the intent of the general assembly that the Iowa law
22 enforcement academy may provide training of state and local
23 law enforcement personnel concerning the recognition of and
24 response to persons with Alzheimers's disease.

25 The Iowa law enforcement academy may temporarily exceed and
26 draw more than the amount appropriated in this subsection and
27 incur a negative cash balance as long as there are receivables
28 equal to or greater than the negative balance and the amount
29 appropriated in this subsection is not exceeded at the close
30 of the fiscal year.

31 2. The Iowa law enforcement academy may select at least
32 five automobiles of the department of public safety, division
33 of state patrol, prior to turning over the automobiles to
34 the department of administrative services to be disposed
35 of by public auction, and the Iowa law enforcement academy

LSB 5007HB (2) 85

-12-

jm/jp

12/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 may exchange any automobile owned by the academy for each
2 automobile selected if the selected automobile is used in
3 training law enforcement officers at the academy. However, any
4 automobile exchanged by the academy shall be substituted for
5 the selected vehicle of the department of public safety and
6 sold by public auction with the receipts being deposited in the
7 depreciation fund to the credit of the department of public
8 safety, division of state patrol.

9 Sec. 13. 2013 Iowa Acts, chapter 139, section 29, is amended
10 to read as follows:

11 SEC. 29. STATE PUBLIC DEFENDER. There is appropriated from
12 the general fund of the state to the office of the state public
13 defender of the department of inspections and appeals for the
14 fiscal year beginning July 1, 2014, and ending June 30, 2015,
15 the following amounts, or so much thereof as is necessary, to
16 be allocated as follows for the purposes designated:

17 1. For salaries, support, maintenance, miscellaneous
18 purposes, and for not more than the following full-time
19 equivalent positions:

20	\$ 12,931,091
21	<u>25,882,243</u>
22	FTEs 219.00
23	<u>221.00</u>

24 2. For payments on behalf of eligible adults and juveniles
25 from the indigent defense fund, in accordance with section
26 815.11:

27	\$ 14,950,965
28	<u>29,901,929</u>

29 Sec. 14. 2013 Iowa Acts, chapter 139, section 30, is amended
30 to read as follows:

31 SEC. 30. BOARD OF PAROLE. There is appropriated from the
32 general fund of the state to the board of parole for the fiscal
33 year beginning July 1, 2014, and ending June 30, 2015, the
34 following amount, or so much thereof as is necessary, to be
35 used for the purposes designated:

LSB 5007HB (2) 85

-13-

jm/jp

13/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 For salaries, support, maintenance, miscellaneous purposes,
2 and for not more than the following full-time equivalent
3 positions:

4	\$	601,918
5		<u>1,204,583</u>
6	FTEs	11.00

7 Sec. 15. 2013 Iowa Acts, chapter 139, section 31, is amended
8 to read as follows:

9 SEC. 31. DEPARTMENT OF PUBLIC DEFENSE — DEPARTMENT
10 OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. There is
11 appropriated from the general fund of the state to the
12 department of public defense or the department of homeland
13 security and emergency management, as applicable, for the
14 fiscal year beginning July 1, 2014, and ending June 30, 2015,
15 the following amounts, or so much thereof as is necessary, to
16 be used for the purposes designated:

17 1. MILITARY DIVISION

18 For salaries, support, maintenance, miscellaneous purposes,
19 and for not more than the following full-time equivalent
20 positions:

21	\$	3,263,521
22		<u>6,554,478</u>
23	FTEs	293.61
24		<u>283.50</u>

25 The military division may temporarily exceed and draw more
26 than the amount appropriated in this subsection and incur a
27 negative cash balance as long as there are receivables of
28 federal funds equal to or greater than the negative balance and
29 the amount appropriated in this subsection is not exceeded at
30 the close of the fiscal year.

31 2. THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
32 MANAGEMENT DIVISION OF SUCCESSOR AGENCY

33 For salaries, support, maintenance, miscellaneous purposes,
34 and for not more than the following full-time equivalent
35 positions:

LSB 5007HB (2) 85

-14-

jm/jp

14/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1	\$	1,087,139
2		<u>2,629,623</u>
3	FTEs	37.40
4		<u>36.13</u>

5 a. The department of homeland security and emergency
6 management ~~division or successor agency~~ may temporarily
7 exceed and draw more than the amount appropriated in this
8 subsection and incur a negative cash balance as long as there
9 are receivables of federal funds equal to or greater than the
10 negative balance and the amount appropriated in this subsection
11 is not exceeded at the close of the fiscal year.

12 b. It is the intent of the general assembly that the
13 department of homeland security and emergency management
14 ~~division or successor agency~~ work in conjunction with the
15 department of public safety, to the extent possible, when
16 gathering and analyzing information related to potential
17 domestic or foreign security threats, and when monitoring such
18 threats.

19 Sec. 16. 2013 Iowa Acts, chapter 139, section 32, is amended
20 to read as follows:

21 SEC. 32. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
22 from the general fund of the state to the department of public
23 safety for the fiscal year beginning July 1, 2014, and ending
24 June 30, 2015, the following amounts, or so much thereof as is
25 necessary, to be used for the purposes designated:

26 1. For the department's administrative functions, including
27 the criminal justice information system, and for not more than
28 the following full-time equivalent positions:

29	\$	2,033,527
30		<u>4,183,349</u>
31	FTEs	39.00

32 2. For the division of criminal investigation, including
33 the state's contribution to the peace officers' retirement,
34 accident, and disability system provided in chapter 97A in the
35 amount of the state's normal contribution rate, as defined in



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 section 97A.8, multiplied by the salaries for which the moneys
2 are appropriated, to meet federal fund matching requirements,
3 and for not more than the following full-time equivalent
4 positions:

5	\$	6,466,707
6		<u>13,625,414</u>
7	FTEs	149.60
8		<u>150.60</u>

9 3. For the criminalistics laboratory fund created in
10 section 691.9:

11	\$	151,173
12		<u>302,345</u>

13 4. a. For the division of narcotics enforcement, including
14 the state's contribution to the peace officers' retirement,
15 accident, and disability system provided in chapter 97A in the
16 amount of the state's normal contribution rate, as defined in
17 section 97A.8, multiplied by the salaries for which the moneys
18 are appropriated, to meet federal fund matching requirements,
19 and for not more than the following full-time equivalent
20 positions:

21	\$	3,377,928
22		<u>6,919,855</u>
23	FTEs	66.00
24		<u>65.50</u>

25 b. For the division of narcotics enforcement for undercover
26 purchases:

27	\$	54,521
28		<u>109,042</u>

29 5. For the division of state fire marshal, for fire
30 protection services as provided through the state fire service
31 and emergency response council as created in the department,
32 and for the state's contribution to the peace officers'
33 retirement, accident, and disability system provided in chapter
34 97A in the amount of the state's normal contribution rate,
35 as defined in section 97A.8, multiplied by the salaries for

LSB 5007HB (2) 85

-16-

jm/jp

16/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 which the moneys are appropriated, and for not more than the
2 following full-time equivalent positions:

3 \$ 2,235,278
4 4,590,556
5 FTEs 53.00

6 6. For the division of state patrol, for salaries, support,
7 maintenance, workers' compensation costs, and miscellaneous
8 purposes, including the state's contribution to the peace
9 officers' retirement, accident, and disability system provided
10 in chapter 97A in the amount of the state's normal contribution
11 rate, as defined in section 97A.8, multiplied by the salaries
12 for which the moneys are appropriated, and for not more than
13 the following full-time equivalent positions:

14 \$ 27,768,104
15 61,670,291
16 FTEs 494.47
17 527.00

18 It is the intent of the general assembly that the department
19 of public safety add additional members to the state patrol to
20 the current number of members of the state patrol as of July 1,
21 2014.

22 It is the intent of the general assembly that members of the
23 state patrol be assigned to patrol the highways and roads in
24 lieu of assignments for inspecting school buses for the school
25 districts.

26 ~~7. For operations costs, and miscellaneous purposes:~~

27 ~~\$ 850,000~~

28 8. For deposit in the sick leave benefits fund established
29 under section 80.42 for all departmental employees eligible to
30 receive benefits for accrued sick leave under the collective
31 bargaining agreement:

32 \$ 139,759
33 279,517

34 9. For costs associated with the training and equipment
35 needs of volunteer fire fighters:

LSB 5007HB (2) 85

-17-

jm/jp

17/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 \$ 362,760
2 825,520
3 a. Notwithstanding section 8.33, moneys appropriated in
4 this subsection that remain unencumbered or unobligated at the
5 close of the fiscal year shall not revert but shall remain
6 available for expenditure only for the purpose designated in
7 this subsection until the close of the succeeding fiscal year.
8 b. Notwithstanding section 8.39, the department of public
9 safety may reallocate moneys appropriated in this section
10 as necessary to best fulfill the needs provided for in the
11 appropriation. However, the department shall not reallocate
12 moneys appropriated to the department in this section unless
13 notice of the reallocation is given to the legislative services
14 agency and the department of management prior to the effective
15 date of the reallocation. The notice shall include information
16 regarding the rationale for reallocating the moneys. The
17 department shall not reallocate moneys appropriated in this
18 section for the purpose of eliminating any program.
19 10. For the public safety interoperable and broadband
20 communications fund established in section 80.44:
21 \$ 154,661
22 Sec. 17. 2013 Iowa Acts, chapter 139, section 33, is amended
23 to read as follows:
24 SEC. 33. GAMING ENFORCEMENT.
25 1. There is appropriated from the gaming enforcement
26 revolving fund created in section 80.43 to the department of
27 public safety for the fiscal year beginning July 1, 2014, and
28 ending June 30, 2015, the following amount, or so much thereof
29 as is necessary, to be used for the purposes designated:
30 For any direct support costs for agents and officers of
31 the division of criminal investigation's excursion gambling
32 boat, gambling structure, and racetrack enclosure enforcement
33 activities, including salaries, support, maintenance,
34 miscellaneous purposes, and for not more than the following
35 full-time equivalent positions:

LSB 5007HB (2) 85

-18-

jm/jp

18/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1	.....	\$	5,449,004
2			<u>10,898,008</u>
3	.....	FTEs	115.00
4			<u>109.00</u>

5 2. For each additional license to conduct gambling games on
6 an excursion gambling boat, gambling structure, or racetrack
7 enclosure issued during the fiscal year beginning July 1, 2014,
8 there is appropriated from the gaming enforcement fund to the
9 department of public safety for the fiscal year beginning July
10 1, 2014, and ending June 30, 2015, an additional amount of not
11 more than \$300,000 to be used for not more than 3.00 additional
12 full-time equivalent positions.

13 3. The department of public safety, with the approval of the
14 department of management, may employ no more than three special
15 agents for each additional riverboat or gambling structure
16 regulated after July 1, 2014, and three special agents for
17 each racing facility which becomes operational during the
18 fiscal year which begins July 1, 2014. Positions authorized
19 in this subsection are in addition to the full-time equivalent
20 positions otherwise authorized in this section.

21 Sec. 18. 2013 Iowa Acts, chapter 139, section 34, is amended
22 to read as follows:

23 SEC. 34. CIVIL RIGHTS COMMISSION. There is appropriated
24 from the general fund of the state to the Iowa state civil
25 rights commission for the fiscal year beginning July 1,
26 2014, and ending June 30, 2015, the following amount, or so
27 much thereof as is necessary, to be used for the purposes
28 designated:

29 For salaries, support, maintenance, miscellaneous purposes,
30 and for not more than the following full-time equivalent
31 positions:

32	.....	\$	648,535
33			<u>1,169,540</u>
34	.....	FTEs	28.00

35 The Iowa state civil rights commission may enter into

LSB 5007HB (2) 85

-19-

jm/jp

19/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 a contract with a nonprofit organization to provide legal
2 assistance to resolve civil rights complaints.

3 Sec. 19. 2013 Iowa Acts, chapter 139, section 35, is amended
4 to read as follows:

5 SEC. 35. CRIMINAL AND JUVENILE JUSTICE PLANNING

6 DIVISION. There is appropriated from the general fund of the
7 state to the criminal and juvenile justice planning division of
8 the department of human rights for the fiscal year beginning
9 July 1, 2013, and ending June 30, 2014, the following amounts,
10 or so much thereof as is necessary, to be used for the purposes
11 designated:

12 For salaries, support, maintenance, and miscellaneous
13 purposes, and for not more than the following full-time
14 equivalent positions:

15	\$	630,053
16		<u>1,100,105</u>
17	FTEs	<u>10.81</u>
18		<u>10.38</u>

19 The criminal and juvenile justice planning advisory council
20 and the juvenile justice advisory council shall coordinate
21 their efforts in carrying out their respective duties relative
22 to juvenile justice.

23 Sec. 20. 2013 Iowa Acts, chapter 139, section 36, is amended
24 to read as follows:

25 SEC. 36. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY

26 ~~MANAGEMENT DIVISION~~. There is appropriated from the ~~wireless~~
27 E911 emergency communications fund created in section
28 34A.7A to the department of homeland security and emergency
29 ~~management division or successor agency~~ for the fiscal year
30 beginning July 1, 2014, and ending June 30, 2015, an amount not
31 exceeding \$250,000 to be used for implementation, support, and
32 maintenance of the functions of the administrator and program
33 manager under chapter 34A and to employ the auditor of the
34 state to perform an annual audit of the ~~wireless~~ E911 emergency
35 communications fund.

LSB 5007HB (2) 85

-20-

jm/jp

20/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

DIVISION III

MISCELLANEOUS PROVISIONS

1
2
3 Sec. 21. Section 13.2, subsection 1, Code 2014, is amended
4 by adding the following new paragraphs:

5 NEW PARAGRAPH. o. Submit a report by January 15 of each
6 year to the co-chairpersons and ranking members of the joint
7 appropriations subcommittee on the justice system and to the
8 legislative services agency detailing the amount of annual
9 money receipts generated by each settlement, judgment, or
10 forfeiture collected pursuant to legal proceedings pursuant
11 to chapters 455B, 537, 553, 714, and 809A. The report shall
12 include the name of the civil or criminal case involved, the
13 court of jurisdiction, the settlement amount including the
14 state's share of the settlement, the name of the fund in which
15 the receipts were deposited, and the planned use of the moneys.

16 NEW PARAGRAPH. p. Provide documentation to the executive
17 council prior to accepting any settlement on behalf of the
18 state from a legal proceeding under chapters 455B, 553, and
19 714. The documentation shall include but is not limited to
20 the name of the civil or criminal case involved, the court of
21 jurisdiction, the proposed settlement amount including the
22 state's share of the settlement, the name of the fund in which
23 the moneys are to be deposited, and the planned use of the
24 moneys.

25 Sec. 22. NEW SECTION. 13.2A **Executive council approval —**
26 **prior to settlement.**

27 The executive council must approve a settlement prior to the
28 attorney general accepting such a settlement under chapters
29 455B, 553, and 714.

30 Sec. 23. NEW SECTION. 13.32 **Victim assistance program —**
31 **payments.**

32 1. a. Prior to issuance of a warrant or its equivalent for
33 a claim for compensation payable from the state treasury to a
34 contractor awarded a contract to provide victim services for
35 a victim assistance program administered under section 13.31,

LSB 5007HB (2) 85

-21-

jm/jp

21/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 subsection 1, 3, 4, or 6, the department of justice shall file
2 an itemized voucher with the department of administrative
3 services showing in detail the items of service, expense, the
4 item furnished, or contract for which payment is sought. The
5 claimant's original invoice shall be attached to the department
6 of justice's approved voucher. The director of administrative
7 services shall adopt rules specifying the form and contents for
8 invoices submitted by a contractor to the department of justice
9 to administer this section. The director of administrative
10 services may exempt the department of justice from the invoice
11 requirements or a part of the requirements upon a finding
12 that compliance would result in poor accounting or management
13 practices.

14 **b.** The department of administrative services shall deny a
15 claim for compensation if the voucher or invoice do not comply
16 with the provisions of this section.

17 **2.** Unless the director of administrative services exempts
18 the department of justice from the invoice requirements under
19 subsection 1, the invoice submitted for approval and payment
20 by a contractor awarded a contract to provide victim services
21 shall include the following:

22 **a.** A completed claim on an invoice form approved by the
23 department of justice.

24 **b.** (1) An itemization detailing all work performed under
25 the contract shall contain all of the following, as applicable:

26 **(a)** A separate statement for the date and amount of time
27 spent on each activity. Time shall be reported in tenths or
28 hundredths of an hour on the invoice but must be recorded in
29 tenths of an hour on the voucher. Time listed in hundredths of
30 an hour on the invoice shall be reduced to the nearest tenth of
31 an hour on the voucher.

32 **(b)** A separate statement for the mileage including the date
33 traveled, the location traveled to and from, and the miles and
34 route traveled.

35 **(c)** The individual receipts for each reimbursement claimed.

LSB 5007HB (2) 85

-22-

jm/jp

22/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 (2) The itemization shall be submitted in chronological
2 order.

3 (3) The itemization shall be typed in at least ten point
4 type on eight and one half by eleven inch paper.

5 3. The department of justice shall deny a claim if the
6 invoice submitted for compensation does not comply with this
7 section.

8 4. A claim for services by an agency for victim services
9 performed prior to the effective date of the contract with the
10 department of justice shall be denied.

11 Sec. 24. Section 97B.49B, subsection 1, paragraph e, Code
12 2014, is amended by adding the following new subparagraph:

13 NEW SUBPARAGRAPH. (13) A person other than a deputy
14 sheriff, jailer, or detention officer who is employed by a
15 sheriff to provide courthouse security services or prisoner
16 transportation duties, is required as a condition of employment
17 to carry a firearm and has been professionally trained and
18 qualified in the use of any firearm in connection with the
19 individual's duties, is required and authorized under limited
20 circumstances to perform law enforcement duties that may
21 include but are not limited to detaining persons, taking
22 persons into custody, making arrests, transporting or providing
23 custody and care for those persons under the sheriff's control,
24 and is a certified Iowa peace officer, has Iowa reserve
25 peace officer certification, or has equivalent peace officer
26 training.

27 Sec. 25. Section 804.6, Code 2014, is amended to read as
28 follows:

29 **804.6 Persons authorized to make an arrest.**

30 An arrest pursuant to a warrant shall be made only by a
31 peace officer; in other cases, an arrest may be made by a peace
32 officer, a person defined under section 97B.49B, subsection
33 1, paragraph "e", or by a private person as provided in this
34 chapter.

35 Sec. 26. NEW SECTION. **804.6A Arrest warrant — service by**

LSB 5007HB (2) 85

-23-

jm/jp

23/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 **bailiff and security personnel.**

2 A person defined under section 97B.49B, subsection 1,
3 paragraph "e", while working at a courthouse, may serve an
4 arrest warrant, take the arrested person before a magistrate,
5 or deliver the arrested person to a peace officer, who may take
6 the arrested person before a magistrate.

7 **EXPLANATION**

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill relates to and makes appropriations to the justice
11 system.

12 DIVISION I — FY 2013-2014 — APPROPRIATIONS. The bill
13 specifies that up to \$500,000 of the moneys appropriated
14 to the department of corrections for the operation of Fort
15 Madison for fiscal year 2013-2014 may be used for the remodel
16 of the relocated John Bennett facility and the demolition of
17 the existing farm bunkhouse adjacent to the newly constructed
18 Fort Madison correctional facility. The bill allows the
19 moneys designated for the remodel or demolition that remain
20 unencumbered or unobligated to remain available to be used for
21 such purposes until the close of fiscal year 2014-2015. The
22 provision takes effect upon enactment.

23 DIVISION II — FY 2014-2015 — APPROPRIATIONS. The bill
24 makes appropriations from the general fund of the state
25 for fiscal year 2014-2015 to the departments of justice,
26 corrections, public defense, and public safety, and the Iowa
27 law enforcement academy, office of the state public defender,
28 board of parole, Iowa state civil rights commission, and
29 the criminal and juvenile justice planning division of the
30 department of human rights.

31 The bill appropriates moneys from the department of commerce
32 revolving fund to the office of consumer advocate of the
33 department of justice for fiscal year 2014-2015.

34 The bill also appropriates moneys from the gaming
35 enforcement revolving fund to the department of public safety

LSB 5007HB (2) 85

-24-

jm/jp

24/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 for fiscal year 2014-2015.

2 The bill appropriates moneys from the E911 emergency
3 communications fund to the department of homeland security and
4 emergency management for fiscal year 2014-2015.

5 The bill specifies that it is the intent of the general
6 assembly that the department of public safety add additional
7 members to the state patrol to the current number of members of
8 the state patrol.

9 DIVISION III — MISCELLANEOUS PROVISIONS. The bill, in
10 new Code section 13.32, requires the department of justice to
11 submit an itemized voucher to the department of administrative
12 services for approval prior to issuance of a warrant or its
13 equivalent for a claim of compensation payable from the state
14 treasury to a contractor awarded to provide victim services for a
15 victim assistance program administered under Code section 13.31
16 for federal grants received, domestic abuse programs, family
17 violence prevention, and violence against women programs and
18 grants. The bill requires the department of justice to attach
19 the claimant's original invoice to the department of justice's
20 voucher. The bill does permit the director of administrative
21 services to exempt the department of justice from the invoice
22 requirements or a part of the requirements upon a finding
23 that compliance would result in poor accounting or management
24 practices.

25 The bill specifies that an invoice submitted to the
26 department of justice for approval and payment by a contractor
27 awarded a contract to provide victim services shall include a
28 completed claim on an invoice form approved by the department
29 of justice, and an itemization detailing all work performed
30 under the contract. The bill requires the itemization to
31 contain all of the following: a separate statement for the
32 date and amount of time spent on each activity; a separate
33 statement for the mileage including the date traveled,
34 the location traveled to and from, and the miles and route
35 traveled; and the individual receipts for each reimbursement

LSB 5007HB (2) 85

-25-

jm/jp

25/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 claimed.

2 The bill also specifies that the itemization submitted to
3 the department of justice be submitted in chronological order
4 and be typed in at least ten point type on eight and one half by
5 eleven inch paper.

6 The department of administrative services shall deny a
7 claim for compensation if the invoice does not comply with the
8 provisions of the bill. The bill also requires the department
9 of justice to deny a claim if the invoice does not comply with
10 the provisions of the bill.

11 Code section 13.2 is amended to require the attorney
12 general to submit a report by January 15 of each year to the
13 co-chairpersons and ranking members of the joint appropriations
14 subcommittee on the justice system and to the legislative
15 services agency detailing the amount of annual money receipts
16 generated by each settlement, judgment, or forfeiture collected
17 pursuant to legal proceedings involving Code chapters 455B
18 (department of natural resources), 537 (consumer credit code),
19 553 (Iowa competition law), 714 (theft, fraud, and related
20 offenses), and 809A (forfeiture reform Act). The report shall
21 include the name of the civil or criminal case involved, the
22 court of jurisdiction, the settlement amount including the
23 state's share of the settlement, the name of the fund in which
24 the receipts were deposited, and the planned use of the moneys.

25 The bill further amends Code section 13.2 to require that
26 the attorney general provide documentation to the executive
27 council prior to accepting any settlement on behalf of the
28 state under Code chapters 455B, 553, and 714. The bill
29 provides that the documentation shall include the name of the
30 civil or criminal case involved, the court of jurisdiction, the
31 proposed settlement amount including the state's share of the
32 settlement, the name of the fund in which the moneys are to be
33 deposited, and the planned use of the moneys. New Code section
34 13.2A requires the executive council to approve a settlement
35 prior to the attorney general accepting the settlement under

LSB 5007HB (2) 85

-26-

jm/jp

26/27



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

H.F. _____

1 Code chapters 455B, 553, and 714.

2 Code section 97B.49B is amended to provide that persons
3 employed by a sheriff to provide courthouse security or
4 prisoner transportation duties who are required to carry a
5 firearm, have peace officer training, and are required to
6 perform certain law enforcement duties, are included within the
7 protection occupation category of the Iowa public employees'
8 retirement system.

9 Under the amendment to Code section 804.6 and new Code
10 section 804.6A, a person employed by a sheriff to provide
11 courthouse security or prisoner transportation duties, while
12 working at a courthouse, may serve an arrest warrant, take the
13 arrested person before a magistrate, or deliver the arrested
14 person to a peace officer, who may take the arrested person
15 before a magistrate.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House Amendment to
Senate File 220

S-5079

1 Amend Senate File 220, as passed by the Senate, as
2 follows:
3 1. Page 1, line 1, by striking <2013> and inserting
4 <2014>
5 2. Page 1, by striking lines 21 and 22 and
6 inserting:
7 <Sec. _____. EFFECTIVE UPON ENACTMENT. This Act,
8 being deemed of immediate importance, takes effect upon
9 enactment.
10 Sec. _____. RETROACTIVE APPLICABILITY. This Act
11 applies retroactively to retirement incentive programs
12 in existence on or after July 1, 2013.>
13 3. Title page, line 2, after <including> by
14 inserting <effective date and retroactive>



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House Amendment to
Senate File 2251

S-5080

1 Amend Senate File 2251, as passed by the Senate, as
2 follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. CHILD CARE ASSISTANCE ELIGIBILITY PILOT
6 PROJECT.
7 1. The department of human services shall implement
8 a pilot project in Hamilton, Lee, Pottawattamie, and
9 Scott counties for the fiscal year beginning July 1,
10 2014. Under the pilot project, for persons residing in
11 the pilot project counties, the department shall apply
12 revised requirements to authorize eligibility for the
13 state child care assistance program for the following
14 families who meet the program's other eligibility
15 requirements:
16 a. Families with an income at or below 100 percent
17 of the federal poverty level whose members, for at
18 least 28 hours per week in the aggregate, are employed
19 or are participating at a satisfactory level in an
20 approved training program or educational program.
21 b. Families with an income of more than 100 percent
22 but not more than 145 percent of the federal poverty
23 level whose members, for at least 28 hours per week in
24 the aggregate, are employed or are participating at a
25 satisfactory level in an approved training program or
26 educational program.
27 2. The department shall report to the governor
28 and general assembly in January 2015 concerning the
29 pilot project. The department shall consult with
30 participating families, community colleges, united way
31 agencies, and other stakeholders in developing the
32 report. The information in the report shall provide
33 findings and recommendations and shall include but is
34 not limited to an analysis of the fiscal effect on
35 the program of applying the revised requirements, the
36 effect of the revised requirements on the current net
37 income and potential future income of the families
38 utilizing the revised eligibility requirements, and the
39 effect of applying the revised eligibility requirements
40 on a statewide basis.>
41 2. Title page, by striking lines 1 and 2 and
42 inserting <An Act providing for a state child care
43 assistance program eligibility pilot project.>

SF2251.3397.H (2) 85

-1-

md

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House Amendment to
Senate File 2259

S-5081

- 1 Amend Senate File 2259, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 10, after <form> by inserting <and
4 that compromises the security, confidentiality, or
5 integrity of the personal information>
6 2. Page 4, line 30, by striking <three> and
7 inserting <five>



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House Amendment to
Senate File 2212

S-5082

- 1 Amend Senate File 2212, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, after line 18 by inserting:
- 4 <Sec. _____. EFFECTIVE UPON ENACTMENT. This Act,
- 5 being deemed of immediate importance, takes effect upon
- 6 enactment.>
- 7 2. Title page, line 1, after <waste> by inserting
- 8 <and including effective date provisions>
- 9 3. By renumbering as necessary.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House Amendment to
Senate File 2201

S-5083

1 Amend Senate File 2201, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 12, by striking <relative> and
4 inserting <parent or guardian>
5 2. Page 1, lines 34 and 35, by striking <but whose>
6 and inserting <whether or not the>
7 3. Page 2, after line 6 by inserting:
8 <Sec. _____. Section 903A.2, subsection 1, unnumbered
9 paragraph 1, Code 2014, is amended to read as follows:
10 Each inmate committed to the custody of the director
11 of the department of corrections is eligible to earn a
12 reduction of sentence in the manner provided in this
13 section. For purposes of calculating the amount of
14 time by which an inmate's sentence may be reduced,
15 inmates shall be grouped into the following ~~two~~ three
16 sentencing categories:
17 Sec. _____. Section 903A.2, subsection 1, paragraph
18 a, unnumbered paragraph 1, Code 2014, is amended to
19 read as follows:
20 Category "A" sentences are those sentences which are
21 not subject to a maximum accumulation of earned time of
22 fifteen percent of the total sentence of confinement
23 under section 902.12 or category "C" sentences. To
24 the extent provided in subsection 5, category "A"
25 sentences also include life sentences imposed under
26 section 902.1. An inmate of an institution under the
27 control of the department of corrections who is serving
28 a category "A" sentence is eligible for a reduction of
29 sentence equal to one and two-tenths days for each day
30 the inmate demonstrates good conduct and satisfactorily
31 participates in any program or placement status
32 identified by the director to earn the reduction. The
33 programs include but are not limited to the following:
34 Sec. _____. Section 903A.2, subsection 1, paragraph
35 b, Code 2014, is amended to read as follows:
36 b. Category "B" sentences are those sentences
37 which are subject to a maximum accumulation of earned
38 time of fifteen percent of the total sentence of
39 confinement under section 902.12 and are not category
40 "C" sentences. An inmate of an institution under the
41 control of the department of corrections who is serving
42 a category "B" sentence is eligible for a reduction of
43 sentence equal to fifteen eighty-fifths of a day for
44 each day of good conduct by the inmate.
45 Sec. _____. Section 903A.2, subsection 1, Code 2014,
46 is amended by adding the following new paragraph:
47 NEW PARAGRAPH. c. Notwithstanding paragraphs "a"
48 and "b", an inmate serving a category "C" sentence is
49 ineligible to earn any reduction of sentence under this
50 section. Category "C" sentences are those sentences

SF2201.3412.H (1) 85

-1-

md

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

1 where the victim was fifteen years of age or younger at
2 the time the offense was committed and is a violation
3 of any of the following:
4 (1) Section 707.3 or 707.11.
5 (2) Section 709.2, 709.3, 709.4, or 709.8, section
6 709.11, subsection 1 or 2, section 709.15, subsection
7 4, paragraph "a", or section 709.15, subsection 5,
8 paragraph "a".
9 (3) Section 710.3 or 710.4.
10 (4) Section 710A.2, subsection 2 or 4.
11 (5) Section 728.12, subsection 1 or 2, or section
12 728.12, subsection 3, if the offense is classified as
13 a felony.
14 Sec. _____. Section 903A.7, Code 2014, is amended to
15 read as follows:
16 **903A.7 Separate sentences.**
17 1. Consecutive multiple sentences that are within
18 the same category under section 903A.2 shall be
19 construed as one continuous sentence for purposes of
20 calculating reductions of sentence for earned time.
21 2. If a person is sentenced to serve sentences of
22 both categories, category "B" sentences shall be served
23 before category "A" sentences are served, and earned
24 time accrued against the category "B" sentences shall
25 not be used to reduce the category "A" sentences. If
26 an inmate serving a category "A" sentence is sentenced
27 to serve a category "B" sentence, the category "A"
28 sentence shall be interrupted, and no further earned
29 time shall accrue against that sentence until the
30 category "B" sentence is completed.
31 3. If a person is sentenced to serve both a
32 category "C" sentence and another category sentence,
33 the category "C" sentence shall be served before the
34 other category sentence is served, and no earned time
35 shall accrue until the category "C" sentence has been
36 served. If an inmate serving another category sentence
37 besides a category "C" sentence is sentenced to serve
38 a category "C" sentence, the sentence of the other
39 category sentence shall be interrupted, and no further
40 earned time shall accrue against that sentence until
41 the category "C" sentence is completed.>
42 4. Title page, line 1, after <kidnapping,> by
43 inserting <the accumulation of earned time for criminal
44 offenses involving certain minor victims,>

SF2201.3412.H (1) 85

-2-

md

2/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

House Amendment to
Senate File 366

S-5084

1 Amend Senate File 366, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. DEPARTMENT OF EDUCATION — RADON
6 NOTIFICATION AND TESTING — REPORT.
7 1. The department of education shall notify each
8 school district and accredited nonpublic school in this
9 state of the risks associated with radon gas and radon
10 progeny at attendance centers. Such notification shall
11 include information on radon testing and mitigation,
12 including relevant statistical data and information
13 on sources of funding available for radon testing and
14 mitigation, and shall encourage school districts and
15 accredited nonpublic schools to implement a radon
16 testing and mitigation plan.
17 2. Each school district and accredited nonpublic
18 school in this state shall notify the department of
19 education by December 1, 2014, indicating whether it
20 has a radon testing and mitigation plan in place. Any
21 school district or accredited nonpublic school that
22 does not have a radon testing and mitigation plan in
23 place as of December 1, 2014, shall also notify the
24 department of any plans the district or school has to
25 implement a radon testing and mitigation plan in the
26 future.
27 3. The department of education shall submit a
28 report to the general assembly by January 1, 2015, on
29 the data collected pursuant to subsection 2.>
30 2. Title page, lines 1 and 2, by striking <and
31 making penalties applicable> and inserting <in schools>

SF366.3393.H (1) 85

-1-

md

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

Senate Resolution 112 - Introduced

SENATE RESOLUTION NO. 112

BY BOLKCOM, SCHNEIDER, McCOY, BREITBACH, ZAUN,
COURTNEY, ROZENBOOM, HATCH, SINCLAIR, and DOTZLER

1 A Resolution requesting the legislative council to
2 establish a legislative interim study committee to
3 study the feasibility of establishing a medical use
4 of cannabis program in this state.

5 WHEREAS, modern medical research has confirmed the
6 beneficial uses of cannabis in treating or alleviating
7 the pain, nausea, and other symptoms associated with a
8 variety of debilitating medical conditions, including
9 epilepsy, cancer, multiple sclerosis, and HIV/AIDS, as
10 found by the national academy of sciences' institute of
11 medicine in March 1999; and

12 WHEREAS, studies published since the 1999 Institute
13 of Medicine report continue to show the therapeutic
14 value of cannabis in treating a wide array of
15 debilitating medical conditions including relief of
16 the neuropathic pain caused by multiple sclerosis,
17 HIV/AIDS, and other illnesses that often fail to
18 respond to conventional treatments, increasing the
19 chances of patients continuing on life-saving treatment
20 regimens; and

21 WHEREAS, cannabis has many currently accepted
22 medical uses in the United States, having been
23 recommended by thousands of licensed physicians to at
24 least 600,000 patients in states with medical cannabis
25 laws; and

26 WHEREAS, the medical utility of cannabis is
27 recognized by a wide range of medical and public health

LSB 6176XS (5) 85

-1- rh/rj

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 19, 2014

S.R. 112

1 organizations, including the American Academy of HIV
2 medicine, the American college of physicians, the
3 American nurses association, the American public health
4 association, the leukemia and lymphoma society, and
5 many others; NOW THEREFORE,

6 BE IT RESOLVED BY THE SENATE, That the legislative
7 council is requested to establish a legislative interim
8 study committee for the 2014 legislative interim to
9 make recommendations on the feasibility of establishing
10 a medical cannabis program in this state allowing
11 qualifying resident patients to purchase and possess
12 cannabis for medical purposes, and to file a final
13 report including recommendations with the general
14 assembly by December 30, 2014.